

BILL ANALYSIS

Senate Research Center
77R5695 KEL-D

S.B. 1381
By: Armbrister
Criminal Justice
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As Filed

DIGEST AND PURPOSE

Currently, Texas law does not adjudicate individuals who commit certain paraphilic offenses like voyeurism (peeping Tom), frotteurism (sexual touching or rubbing), and exhibitionism (indecent exposure), under the Texas Sex Offender Registration Program. These offenses are not included in the sex offender registration requirements in Texas. As proposed, S.B. 1381 requires individuals who commit certain sexual offenses to register as sex offenders.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 21, Penal Code, by adding Sections 21.09 and 21.10, as follows:

Sec. 21.09. VOYEURISM. Provides that a person commits a Class B misdemeanor if the person, with intent to arouse or gratify the sexual desire of any person, enters on the property of another and looks into a dwelling on the property through any window or other opening in the dwelling, or while on the premises of a hotel or comparable establishment, looks into another person's guest room through a window or other opening in the room.

Sec. 21.10. UNLAWFUL SEXUAL CONTACT. Provides that a person commits a Class B misdemeanor if without the consent of another person who is 17 years of age or older the actor knowingly engages in sexual contact with the other person when the actor knows or reasonably should know that the other person will regard the contact as offensive or provocative.

SECTION 2. Amends Section 42.01(a), Penal Code, by deleting the word "lewd" from text referring to the conduct of a person looking into the dwelling of another. Makes a conforming change.

SECTION 3. Amends Article 62.01(5), Code of Criminal Procedure, to redefine "reportable conviction or adjudication" to include convictions for violations under Sections 21.08 (Indecent Exposure), 21.09 (Voyeurism), and 21.10 (Unlawful Sexual Contact). Makes nonsubstantive changes.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2001.