

BILL ANALYSIS

Senate Research Center
78R1349 PEP-D

S.B. 97
By: Barrientos
Criminal Justice
4/14/2003
As Filed

DIGEST AND PURPOSE

Under current law, if a parole panel determines that a child under 17 years of age was the victim of a sex crime, a parole panel is required to establish a child safety zone as a condition of parole or mandatory supervision of the sex offender that committed the crime. If a defendant accused of a sex crime with a child is under community supervision, the distance of the child safety zone is specified by the trial judge. However, there are no provisions specifying a minimum distance requirement. As proposed, S.B. 97 requires that certain sex offenders maintain a minimum distance of 1,000 feet from schools, day care facilities, playgrounds, and youth centers, and other such places where children commonly gather.

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 Section 508.187(b), Government Code, to prohibit sex offenders released on community supervision, parole, or mandatory supervision from going in, on, or within "1,000 feet" rather than "a distance specified by the parole panel" of premises where children commonly gather.

SECTION 2. Amends Section 508.187, Government Code, by adding Subsection (g) to set forth four exemptions to the prohibition restricting a releasee from going in, on, or within 1,000 feet of premises where children commonly gather.

SECTION 3. Amends Section 13B(a), Article 42.12, Code of Criminal Procedure, to make a conforming change.

SECTION 4. Amends 13B, Article 42.12, Code of Criminal Procedure, by adding Subsection (i) to set forth four exemptions to the prohibition restricting a releasee from going in, on, or within 1,000 feet of premises where children commonly gather.

SECTION 5. (a) Effective date: September 1, 2003, and provides that except as provided by Subsection (b) of this section, applies only to a person placed on community supervision or released on parole or mandatory supervision on or after that date.

(b) Authorizes a court or a parole panel, as appropriate, on or after September 1, 2003 to modify a condition of community supervision, parole, or mandatory supervision to require that a person who before that date was placed on community supervision or released on parole or mandatory supervision maintain distance of 1,000 feet of a premises where children commonly gather.