

1-1 By: Perry S.B. No. 1576
 1-2 (In the Senate - Filed March 8, 2017; March 21, 2017, read
 1-3 first time and referred to Committee on Criminal Justice;
 1-4 April 3, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 3, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1576 By: Whitmire

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the civil commitment of sexually violent predators, the
 1-22 operation of the Texas Civil Commitment Office, and certain related
 1-23 offenses; increasing a criminal penalty.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. The heading to Section 30.010, Civil Practice
 1-26 and Remedies Code, is amended to read as follows:

1-27 Sec. 30.010. PERSONAL IDENTIFYING INFORMATION PRIVILEGED
 1-28 FROM DISCOVERY BY INMATE OR COMMITTED PERSON.

1-29 SECTION 2. Sections 30.010(a) and (b), Civil Practice and
 1-30 Remedies Code, are amended to read as follows:

1-31 (a) Personal identifying information pertaining to an
 1-32 individual, including the individual's home address, home
 1-33 telephone number, and social security account number, is privileged
 1-34 from discovery by an individual who is imprisoned or confined in any
 1-35 correctional facility or civilly committed as a sexually violent
 1-36 predator under Chapter 841, Health and Safety Code, if the
 1-37 individual to whom the information pertains is:

1-38 (1) an employee of any correctional facility; ~~or~~

1-39 (2) an officer or employee of the Texas Civil
 1-40 Commitment Office or a person who contracts with the office to
 1-41 perform a service or an employee of that person; or

1-42 (3) related within the first degree by consanguinity
 1-43 or affinity to an individual described by Subdivision (1) or (2)
 1-44 [who is an employee of any correctional facility].

1-45 (b) Personal identifying information that is privileged
 1-46 under this section may be discovered by an individual who is
 1-47 imprisoned or confined in a correctional facility or civilly
 1-48 committed as a sexually violent predator under Chapter 841, Health
 1-49 and Safety Code, only if:

1-50 (1) the incarcerated individual or committed person
 1-51 shows good cause to the court for the discovery of the information;
 1-52 and

1-53 (2) the court renders an order that authorizes
 1-54 discovery of the information.

1-55 SECTION 3. Article 2.13, Code of Criminal Procedure, is
 1-56 amended by adding Subsection (d) to read as follows:

1-57 (d) On a request made by that office, a peace officer shall
 1-58 execute an emergency detention order issued by the Texas Civil
 1-59 Commitment Office under Section 841.0837, Health and Safety Code.

1-60 SECTION 4. Article 17.03, Code of Criminal Procedure, is

2-1 amended by amending Subsection (a) and adding Subsection (b-1) to
2-2 read as follows:

2-3 (a) Except as provided by Subsection (b) or (b-1) [~~of this~~
2-4 ~~article~~], a magistrate may, in the magistrate's discretion, release
2-5 the defendant on [~~his~~] personal bond without sureties or other
2-6 security.

2-7 (b-1) A magistrate may not release on personal bond a
2-8 defendant who, at the time of the commission of the charged offense,
2-9 is civilly committed as a sexually violent predator under Chapter
2-10 841, Health and Safety Code.

2-11 SECTION 5. Article 62.202, Code of Criminal Procedure, is
2-12 amended by amending Subsection (a) and adding Subsection (a-1) to
2-13 read as follows:

2-14 (a) Notwithstanding Article 62.058, if an individual
2-15 subject to registration under this chapter is civilly committed as
2-16 a sexually violent predator, the person shall report to the local
2-17 law enforcement authority designated as the person's primary
2-18 registration authority by the department to verify the information
2-19 in the registration form maintained by the authority for that
2-20 person as follows:

2-21 (1) if the person resides at a civil commitment
2-22 center, not less than once each year; or

2-23 (2) if the person does not reside at a civil commitment
2-24 center, not less than once in each 30-day period following:

2-25 (A) the date the person first registered under
2-26 this chapter; or

2-27 (B) if applicable, the date the person moved from
2-28 the center [~~to verify the information in the registration form~~
2-29 ~~maintained by the authority for that person~~].

2-30 (a-1) For purposes of Subsection (a)(2) [~~this subsection~~],
2-31 a person complies with a requirement that the person register
2-32 within a 30-day period following a date if the person registers at
2-33 any time on or after the 27th day following that date but before the
2-34 33rd day after that date.

2-35 SECTION 6. Subchapter E, Chapter 62, Code of Criminal
2-36 Procedure, is amended by adding Article 62.2021 to read as follows:

2-37 Art. 62.2021. REQUIREMENTS RELATING TO DRIVER'S LICENSE OR
2-38 PERSONAL IDENTIFICATION CERTIFICATE: INDIVIDUALS RESIDING AT
2-39 CIVIL COMMITMENT CENTER. (a) Notwithstanding Article 62.060(b),
2-40 a person subject to registration who is civilly committed as a
2-41 sexually violent predator and resides at a civil commitment center
2-42 shall renew the person's department-issued driver's license or
2-43 personal identification certificate as prescribed by Section
2-44 521.103, 521.272, or 522.033, Transportation Code, as applicable.

2-45 (b) On the date that a person described by Subsection (a) no
2-46 longer resides at a civil commitment center, the person is required
2-47 to renew a driver's license or personal identification certificate
2-48 only as provided by Article 62.060(b).

2-49 SECTION 7. Section 411.0765(b), Government Code, is amended
2-50 to read as follows:

2-51 (b) A criminal justice agency may disclose criminal history
2-52 record information that is the subject of an order of nondisclosure
2-53 of criminal history record information under this subchapter to the
2-54 following noncriminal justice agencies or entities only:

2-55 (1) the State Board for Educator Certification;

2-56 (2) a school district, charter school, private school,
2-57 regional education service center, commercial transportation
2-58 company, or education shared service arrangement;

2-59 (3) the Texas Medical Board;

2-60 (4) the Texas School for the Blind and Visually
2-61 Impaired;

2-62 (5) the Board of Law Examiners;

2-63 (6) the State Bar of Texas;

2-64 (7) a district court regarding a petition for name
2-65 change under Subchapter B, Chapter 45, Family Code;

2-66 (8) the Texas School for the Deaf;

2-67 (9) the Department of Family and Protective Services;

2-68 (10) the Texas Juvenile Justice Department;

2-69 (11) the Department of Assistive and Rehabilitative

3-1 Services;

3-2 (12) the Department of State Health Services, a local
3-3 mental health service, a local intellectual and developmental
3-4 disability authority, or a community center providing services to
3-5 persons with mental illness or intellectual or developmental
3-6 disabilities;

3-7 (13) the Texas Private Security Board;

3-8 (14) a municipal or volunteer fire department;

3-9 (15) the Texas Board of Nursing;

3-10 (16) a safe house providing shelter to children in
3-11 harmful situations;

3-12 (17) a public or nonprofit hospital or hospital
3-13 district, or a facility as defined by Section 250.001, Health and
3-14 Safety Code;

3-15 (18) the securities commissioner, the banking
3-16 commissioner, the savings and mortgage lending commissioner, the
3-17 consumer credit commissioner, or the credit union commissioner;

3-18 (19) the Texas State Board of Public Accountancy;

3-19 (20) the Texas Department of Licensing and Regulation;

3-20 (21) the Health and Human Services Commission;

3-21 (22) the Department of Aging and Disability Services;

3-22 (23) the Texas Education Agency;

3-23 (24) the Judicial Branch Certification Commission;

3-24 (25) a county clerk's office in relation to a
3-25 proceeding for the appointment of a guardian under Title 3, Estates
3-26 Code;

3-27 (26) the Department of Information Resources but only
3-28 regarding an employee, applicant for employment, contractor,
3-29 subcontractor, intern, or volunteer who provides network security
3-30 services under Chapter 2059 to:

3-31 (A) the Department of Information Resources; or
3-32 (B) a contractor or subcontractor of the
3-33 Department of Information Resources;

3-34 (27) the Texas Department of Insurance;

3-35 (28) the Teacher Retirement System of Texas;

3-36 (29) the Texas State Board of Pharmacy;

3-37 (30) the Texas Civil Commitment Office;

3-38 (31) a bank, savings bank, savings and loan
3-39 association, credit union, or mortgage banker, a subsidiary or
3-40 affiliate of those entities, or another financial institution
3-41 regulated by a state regulatory entity listed in Subdivision (18)
3-42 or by a corresponding federal regulatory entity, but only regarding
3-43 an employee, contractor, subcontractor, intern, or volunteer of or
3-44 an applicant for employment by that bank, savings bank, savings and
3-45 loan association, credit union, mortgage banker, subsidiary or
3-46 affiliate, or financial institution; and

3-47 (32) [~~(31)~~] an employer that has a facility that
3-48 handles or has the capability of handling, transporting, storing,
3-49 processing, manufacturing, or controlling hazardous, explosive,
3-50 combustible, or flammable materials, if:

3-51 (A) the facility is critical infrastructure, as
3-52 defined by 42 U.S.C. Section 5195c(e), or the employer is required
3-53 to submit to a risk management plan under Section 112(r) of the
3-54 federal Clean Air Act (42 U.S.C. Section 7412) for the facility; and

3-55 (B) the information concerns an employee,
3-56 applicant for employment, contractor, or subcontractor whose
3-57 duties involve or will involve the handling, transporting, storing,
3-58 processing, manufacturing, or controlling hazardous, explosive,
3-59 combustible, or flammable materials and whose background is
3-60 required to be screened under a federal provision described by
3-61 Paragraph (A).

3-62 SECTION 8. Sections 411.1389(a) and (c), Government Code,
3-63 are amended to read as follows:

3-64 (a) The Texas Civil Commitment Office is entitled to obtain
3-65 from the department criminal history record information that is
3-66 maintained by the department and that relates to a person who:

3-67 (1) has applied with the office to be:

3-68 (A) [~~(1)~~] an employee of the office; or
3-69 (B) [~~(2)~~] a contracted service provider with the

4-1 office; or
 4-2 (2) seeks the office's approval to act as a contact or
 4-3 chaperone for a person who is civilly committed as a sexually
 4-4 violent predator under Chapter 841, Health and Safety Code.

4-5 (c) The Texas Civil Commitment Office shall destroy
 4-6 criminal history record information obtained under Subsection (a)
 4-7 as soon as practicable after the date on which, as applicable:

4-8 (1) the person's employment or contract with the
 4-9 office terminates; ~~[or]~~

4-10 (2) the office decides not to employ or contract with
 4-11 the person; or

4-12 (3) the office determines whether the person is
 4-13 suitable as a contact or chaperone for a person who is civilly
 4-14 committed as a sexually violent predator under Chapter 841, Health
 4-15 and Safety Code.

4-16 SECTION 9. Section 420A.002(c), Government Code, is amended
 4-17 to read as follows:

4-18 (c) Members of the board serve staggered six-year
 4-19 ~~[two-year]~~ terms, with the terms of one or two members expiring on ~~[~~
 4-20 ~~Three members' terms expire February 1 of each even-numbered year~~
 4-21 ~~and two members' terms expire]~~ February 1 of each odd-numbered
 4-22 year.

4-23 SECTION 10. Section 420A.003, Government Code, is amended
 4-24 by adding Subsection (a-1) to read as follows:

4-25 (a-1) The presiding officer shall select a member of the
 4-26 board as an assistant presiding officer and may create board
 4-27 committees.

4-28 SECTION 11. Section 420A.011, Government Code, is amended
 4-29 to read as follows:

4-30 Sec. 420A.011. ADMINISTRATIVE ATTACHMENT; SUPPORT.

4-31 (a) The office is administratively attached to the Health and
 4-32 Human Services Commission ~~[Department of State Health Services]~~.

4-33 (b) The Health and Human Services Commission ~~[Department of~~
 4-34 ~~State Health Services]~~ shall provide administrative support
 4-35 services, including human resources, budgetary, accounting,
 4-36 purchasing, payroll, information technology, and legal support
 4-37 services, to the office as necessary to carry out the purposes of
 4-38 this chapter.

4-39 (c) The office, in accordance with the rules and procedures
 4-40 of the Legislative Budget Board, shall prepare, approve, and submit
 4-41 a legislative appropriations request that is separate from the
 4-42 legislative appropriations request for the Health and Human
 4-43 Services Commission ~~[Department of State Health Services]~~ and is
 4-44 used to develop the office's budget structure. The office shall
 4-45 maintain the office's legislative appropriations request and
 4-46 budget structure separately from those of the commission
 4-47 ~~[department]~~.

4-48 SECTION 12. Chapter 420A, Government Code, is amended by
 4-49 adding Section 420A.012 to read as follows:

4-50 Sec. 420A.012. RULES. The board may adopt rules as
 4-51 necessary to enable the office to perform the office's duties under
 4-52 this chapter.

4-53 SECTION 13. Section 552.117(a), Government Code, is amended
 4-54 to read as follows:

4-55 (a) Information is excepted from the requirements of
 4-56 Section 552.021 if it is information that relates to the home
 4-57 address, home telephone number, emergency contact information, or
 4-58 social security number of the following person or that reveals
 4-59 whether the person has family members:

4-60 (1) a current or former official or employee of a
 4-61 governmental body, except as otherwise provided by Section 552.024;

4-62 (2) a peace officer as defined by Article 2.12, Code of
 4-63 Criminal Procedure, or a security officer commissioned under
 4-64 Section 51.212, Education Code, regardless of whether the officer
 4-65 complies with Section 552.024 or 552.1175, as applicable;

4-66 (3) a current or former employee of the Texas
 4-67 Department of Criminal Justice or of the predecessor in function of
 4-68 the department or any division of the department, regardless of
 4-69 whether the current or former employee complies with Section

5-1 552.1175;

5-2 (4) a peace officer as defined by Article 2.12, Code of
5-3 Criminal Procedure, or other law, a reserve law enforcement
5-4 officer, a commissioned deputy game warden, or a corrections
5-5 officer in a municipal, county, or state penal institution in this
5-6 state who was killed in the line of duty, regardless of whether the
5-7 deceased complied with Section 552.024 or 552.1175;

5-8 (5) a commissioned security officer as defined by
5-9 Section 1702.002, Occupations Code, regardless of whether the
5-10 officer complies with Section 552.024 or 552.1175, as applicable;

5-11 (6) an officer or employee of a community supervision
5-12 and corrections department established under Chapter 76 who
5-13 performs a duty described by Section 76.004(b), regardless of
5-14 whether the officer or employee complies with Section 552.024 or
5-15 552.1175;

5-16 (7) a current or former employee of the office of the
5-17 attorney general who is or was assigned to a division of that office
5-18 the duties of which involve law enforcement, regardless of whether
5-19 the current or former employee complies with Section 552.024 or
5-20 552.1175;

5-21 (8) a current or former employee of the Texas Juvenile
5-22 Justice Department or of the predecessors in function of the
5-23 department, regardless of whether the current or former employee
5-24 complies with Section 552.024 or 552.1175;

5-25 (9) a current or former juvenile probation or
5-26 supervision officer certified by the Texas Juvenile Justice
5-27 Department, or the predecessors in function of the department,
5-28 under Title 12, Human Resources Code, regardless of whether the
5-29 current or former officer complies with Section 552.024 or
5-30 552.1175;

5-31 (10) a current or former employee of a juvenile
5-32 justice program or facility, as those terms are defined by Section
5-33 261.405, Family Code, regardless of whether the current or former
5-34 employee complies with Section 552.024 or 552.1175; [~~or~~]

5-35 (11) a current or former member of the Texas military
5-36 forces, as that term is defined by Section 437.001; or

5-37 (12) a current or former employee of the Texas Civil
5-38 Commitment Office or of the predecessor in function of the office or
5-39 a division of the office, regardless of whether the current or
5-40 former employee complies with Section 552.024 or 552.1175.

5-41 SECTION 14. The heading to Section 552.1175, Government
5-42 Code, is amended to read as follows:

5-43 Sec. 552.1175. CONFIDENTIALITY OF CERTAIN PERSONAL
5-44 IDENTIFYING INFORMATION OF PEACE OFFICERS, COUNTY JAILERS,
5-45 SECURITY OFFICERS, EMPLOYEES OF CERTAIN STATE AGENCIES OR CERTAIN
5-46 CRIMINAL OR JUVENILE JUSTICE AGENCIES OR OFFICES, AND FEDERAL AND
5-47 STATE JUDGES.

5-48 SECTION 15. Section 552.1175(a), Government Code, is
5-49 amended to read as follows:

5-50 (a) This section applies only to:

5-51 (1) peace officers as defined by Article 2.12, Code of
5-52 Criminal Procedure;

5-53 (2) county jailers as defined by Section 1701.001,
5-54 Occupations Code;

5-55 (3) current or former employees of the Texas
5-56 Department of Criminal Justice or of the predecessor in function of
5-57 the department or any division of the department;

5-58 (4) commissioned security officers as defined by
5-59 Section 1702.002, Occupations Code;

5-60 (5) employees of a district attorney, criminal
5-61 district attorney, or county or municipal attorney whose
5-62 jurisdiction includes any criminal law or child protective services
5-63 matters;

5-64 (6) officers and employees of a community supervision
5-65 and corrections department established under Chapter 76 who perform
5-66 a duty described by Section 76.004(b);

5-67 (7) criminal investigators of the United States as
5-68 described by Article 2.122(a), Code of Criminal Procedure;

5-69 (8) police officers and inspectors of the United

6-1 States Federal Protective Service;

6-2 (9) current and former employees of the office of the

6-3 attorney general who are or were assigned to a division of that

6-4 office the duties of which involve law enforcement;

6-5 (10) current or former juvenile probation and

6-6 detention officers certified by the Texas Juvenile Justice

6-7 Department, or the predecessors in function of the department,

6-8 under Title 12, Human Resources Code;

6-9 (11) current or former employees of a juvenile justice

6-10 program or facility, as those terms are defined by Section 261.405,

6-11 Family Code;

6-12 (12) current or former employees of the Texas Juvenile

6-13 Justice Department or the predecessors in function of the

6-14 department; ~~and~~

6-15 (13) federal judges and state judges as defined by

6-16 Section 13.0021, Election Code; and

6-17 (14) current or former employees of the Texas Civil

6-18 Commitment Office or of the predecessor in function of the office or

6-19 a division of the office.

6-20 SECTION 16. Section 572.032(a-1), Government Code, is

6-21 amended to read as follows:

6-22 (a-1) Before permitting a member of the public to view a

6-23 financial statement filed under this subchapter or providing a copy

6-24 of the statement to a member of the public, the [The] commission

6-25 shall remove [the home address of a judge or justice] from the [a

6-26 financial] statement, if applicable, the home address of [filed

6-27 under this subchapter before]:

6-28 (1) a judge or justice [permitting a member of the

6-29 public to view the statement]; or

6-30 (2) a member of the governing board or executive head

6-31 of the Texas Civil Commitment Office [providing a copy of the

6-32 statement to a member of the public].

6-33 SECTION 17. Sections 841.082(a), (d), and (e), Health and

6-34 Safety Code, are amended to read as follows:

6-35 (a) Before entering an order directing a person's civil

6-36 commitment, the judge shall impose on the person requirements

6-37 necessary to ensure the person's compliance with treatment and

6-38 supervision and to protect the community. The requirements shall

6-39 include:

6-40 (1) requiring the person to reside where instructed by

6-41 the office;

6-42 (2) prohibiting the person's contact with a victim of

6-43 the person;

6-44 (3) requiring the person's participation in and

6-45 compliance with the sex offender treatment program provided by the

6-46 office and compliance with all written requirements imposed by the

6-47 office;

6-48 (4) requiring the person to submit to appropriate

6-49 supervision and:

6-50 (A) submit to tracking under a particular type of

6-51 tracking service, if the person:

6-52 (i) while residing at a civil commitment

6-53 center, leaves the center for any reason;

6-54 (ii) is in one of the two most restrictive

6-55 tiers of treatment, as determined by the office;

6-56 (iii) is on disciplinary status, as

6-57 determined by the office; or

6-58 (iv) resides in the community [and to any

6-59 other appropriate supervision]; and

6-60 (B) if required to submit to tracking under

6-61 Paragraph (A), refrain from tampering with, altering, modifying,

6-62 obstructing, removing, or manipulating the tracking equipment; and

6-63 (5) prohibiting the person from leaving the state

6-64 without prior authorization from the office.

6-65 (d) The committing court retains jurisdiction of the case

6-66 with respect to a proceeding conducted under this subchapter, other

6-67 than a criminal proceeding involving an offense under Section

6-68 841.085, or to a civil commitment proceeding conducted under

6-69 Subchapters F and G.

7-1 (e) The requirements imposed under Subsection (a) may be
7-2 modified by the committing court at any time after notice to each
7-3 affected party to the proceedings and a hearing.

7-4 SECTION 18. Section 841.0832(b), Health and Safety Code, is
7-5 amended to read as follows:

7-6 (b) The office shall designate all or part of a facility
7-7 under Subsection (a) to serve as an intake and orientation facility
7-8 for committed persons on release from a secure correctional
7-9 facility.

7-10 SECTION 19. Section 841.0833, Health and Safety Code, is
7-11 amended to read as follows:

7-12 Sec. 841.0833. SECURITY AND MONITORING; CONFIDENTIALITY.
7-13 (a) The office shall develop procedures for the security and
7-14 monitoring of committed persons in each programming tier.

7-15 (b) Information regarding the security and monitoring
7-16 procedures developed under Subsection (a) is confidential and not
7-17 subject to disclosure under Chapter 552, Government Code.

7-18 SECTION 20. Section 841.0834, Health and Safety Code, is
7-19 amended by adding Subsection (e) to read as follows:

7-20 (e) A committed person who files a petition under this
7-21 section shall serve a copy of the petition on the office.

7-22 SECTION 21. Section 841.0836, Health and Safety Code, is
7-23 amended to read as follows:

7-24 Sec. 841.0836. RELEASE FROM HOUSING. (a) A committed
7-25 person released from housing operated by or under contract with the
7-26 office shall be released to:

7-27 (1) the county in which the person was most recently
7-28 convicted of a sexually violent offense; or

7-29 (2) if the county described by Subdivision (1) does
7-30 not provide adequate opportunities for the person's treatment and
7-31 for the person's housing or other supervision, as determined by the
7-32 office, a county designated by the office.

7-33 (b) The office may require a committed person released to a
7-34 county under Subsection (a)(2) to change the person's residence to
7-35 the county described by Subsection (a)(1) if the office determines
7-36 that adequate opportunities for the person's treatment and for the
7-37 person's housing or other supervision become available in that
7-38 county.

7-39 SECTION 22. Subchapter E, Chapter 841, Health and Safety
7-40 Code, is amended by adding Sections 841.0837 and 841.0838 to read as
7-41 follows:

7-42 Sec. 841.0837. EMERGENCY DETENTION ORDER. (a) In this
7-43 section, "peace officer" has the meaning assigned by Article 2.12,
7-44 Code of Criminal Procedure.

7-45 (b) For the purpose of returning a committed person to a
7-46 more restrictive setting following a transfer to less restrictive
7-47 housing and supervision under Section 841.0834 or a release under
7-48 Section 841.0836, the office may issue an emergency detention order
7-49 for the person's immediate apprehension and transportation to a
7-50 location designated by the office.

7-51 Sec. 841.0838. USE OF RESTRAINTS. (a) An employee of the
7-52 office, or a person who contracts with the office or an employee of
7-53 that person, may use mechanical or chemical restraints on a
7-54 committed person residing in a civil commitment center or while
7-55 transporting a committed person who resides at the center only if:

7-56 (1) the employee or person completes a training
7-57 program approved by the office on the use of restraints that:

7-58 (A) includes instruction on the office's
7-59 approved restraint techniques and devices and the office's verbal
7-60 de-escalation policies, procedures, and practices; and

7-61 (B) requires the employee or person to
7-62 demonstrate competency in the use of the restraint techniques and
7-63 devices; and

7-64 (2) the restraint is:

7-65 (A) used as a last resort;

7-66 (B) necessary to prevent:

7-67 (i) imminent physical injury to the
7-68 committed person or another;

7-69 (ii) serious property damage; or

8-1 (iii) an absconson from the center; and
 8-2 (C) the least restrictive restraint necessary,
 8-3 used for the minimum duration necessary, to prevent the injury,
 8-4 property damage, or absconson.
 8-5 (b) The office shall develop procedures governing the use of
 8-6 mechanical or chemical restraints on committed persons.
 8-7 SECTION 23. Section 841.084(a), Health and Safety Code, is
 8-8 amended to read as follows:
 8-9 (a) Notwithstanding Section 841.146(c), a civilly committed
 8-10 person who is not indigent:
 8-11 (1) is responsible for the cost of:
 8-12 (A) housing and treatment provided under this
 8-13 chapter; ~~and~~
 8-14 (B) the tracking service required by Section
 8-15 841.082; and
 8-16 (C) repairs to or replacement of the tracking
 8-17 equipment required by Section 841.082, if the person intentionally
 8-18 caused the damage to or loss of the equipment, as determined by the
 8-19 office; and
 8-20 (2) ~~monthly~~ shall pay to the office:
 8-21 (A) a monthly ~~the~~ amount that the office
 8-22 determines will be necessary to defray the cost of providing the
 8-23 housing, treatment, and service with respect to the person; and
 8-24 (B) as directed by the office, any amount for
 8-25 which the person is responsible under Subdivision (1)(C).
 8-26 SECTION 24. Section 841.085, Health and Safety Code, is
 8-27 amended by adding Subsection (c) to read as follows:
 8-28 (c) On request of the local prosecuting attorney, the
 8-29 special prosecution unit may assist in the trial of an offense under
 8-30 this section.
 8-31 SECTION 25. Section 841.151(c), Health and Safety Code, is
 8-32 amended to read as follows:
 8-33 (c) As soon as practicable before, but not ~~Not~~ later than
 8-34 the third business day preceding, the date a correctional facility,
 8-35 secure correctional facility, or secure detention facility
 8-36 releases a person who, at the time of the person's detention or
 8-37 confinement, was civilly committed under this chapter as a sexually
 8-38 violent predator, the facility shall notify the office and the
 8-39 person's case manager in writing of the anticipated date and time of
 8-40 the person's release.
 8-41 SECTION 26. Subchapter H, Chapter 841, Health and Safety
 8-42 Code, is amended by adding Sections 841.152 and 841.153 to read as
 8-43 follows:
 8-44 Sec. 841.152. CERTAIN HEARINGS BY CLOSED-CIRCUIT VIDEO
 8-45 TELECONFERENCING PERMITTED. (a) Notwithstanding Section
 8-46 841.103(c), on motion by the attorney representing the state, the
 8-47 court shall require a committed person to appear via closed-circuit
 8-48 video teleconferencing at a hearing on the modification of civil
 8-49 commitment requirements under Section 841.082 or a hearing under
 8-50 Subchapter F or G.
 8-51 (b) A recording of a hearing conducted as provided by
 8-52 Subsection (a) shall be made and preserved with the court's record
 8-53 of the hearing.
 8-54 Sec. 841.153. STATE-ISSUED IDENTIFICATION; NECESSARY
 8-55 DOCUMENTATION. (a) On the release of a committed person from a
 8-56 correctional facility, secure correctional facility, or secure
 8-57 detention facility, as those terms are defined by Section 841.151,
 8-58 the office shall:
 8-59 (1) determine whether the person has:
 8-60 (A) a valid license issued under Chapter 521 or
 8-61 522, Transportation Code; or
 8-62 (B) a valid personal identification certificate
 8-63 issued under Chapter 521, Transportation Code; and
 8-64 (2) if the person does not have a valid license or
 8-65 certificate described by Subdivision (1), submit to the Department
 8-66 of Public Safety on behalf of the person a request for the issuance
 8-67 of a personal identification certificate under Chapter 521,
 8-68 Transportation Code.
 8-69 (b) The office shall submit a request under Subsection

9-1 (a)(2) as soon as practicable.

9-2 (c) The office, the Department of Public Safety, and the
 9-3 vital statistics unit of the Department of State Health Services by
 9-4 rule shall adopt a memorandum of understanding that establishes
 9-5 their respective responsibilities with respect to the issuance of a
 9-6 personal identification certificate to a committed person,
 9-7 including responsibilities related to verification of the person's
 9-8 identity. The memorandum of understanding must require the
 9-9 Department of State Health Services to electronically verify the
 9-10 birth record of a committed person whose name and any other personal
 9-11 information is provided by the office and to electronically report
 9-12 the recorded filing information to the Department of Public Safety
 9-13 to validate the identity of a committed person under this section.

9-14 (d) The office shall reimburse the Department of Public
 9-15 Safety or the Department of State Health Services, as applicable,
 9-16 for the actual costs incurred by those agencies in performing
 9-17 responsibilities established under this section. The office may
 9-18 charge a committed person for the actual costs incurred under this
 9-19 section or for the fees required by Section 521.421, Transportation
 9-20 Code.

9-21 SECTION 27. Section 1.07(a), Penal Code, is amended by
 9-22 adding Subdivision (8-a) to read as follows:

9-23 (8-a) "Civil commitment facility" means a facility
 9-24 owned, leased, or operated by the state, or by a vendor under
 9-25 contract with the state, that houses only persons who have been
 9-26 civilly committed as sexually violent predators under Chapter 841,
 9-27 Health and Safety Code.

9-28 SECTION 28. Section 22.01, Penal Code, is amended by
 9-29 amending Subsections (b-1) and (f) and adding Subsection (b-2) to
 9-30 read as follows:

9-31 (b-1) Notwithstanding Subsection (b), an offense under
 9-32 Subsection (a)(1) is a felony of the third degree if the offense is
 9-33 committed:

9-34 (1) while the actor is committed to a civil commitment
 9-35 facility; and

9-36 (2) against:

9-37 (A) an officer or employee of the Texas Civil
 9-38 Commitment Office:

9-39 (i) while the officer or employee is
 9-40 lawfully discharging an official duty at a civil commitment
 9-41 facility; or

9-42 (ii) in retaliation for or on account of an
 9-43 exercise of official power or performance of an official duty by the
 9-44 officer or employee; or

9-45 (B) a person who contracts with the state to
 9-46 perform a service in a civil commitment facility or an employee of
 9-47 that person:

9-48 (i) while the person or employee is engaged
 9-49 in performing a service within the scope of the contract, if the
 9-50 actor knows the person or employee is authorized by the state to
 9-51 provide the service; or

9-52 (ii) in retaliation for or on account of the
 9-53 person's or employee's performance of a service within the scope of
 9-54 the contract.

9-55 (b-2) Notwithstanding Subsection (b)(2), an offense under
 9-56 Subsection (a)(1) is a felony of the second degree if:

9-57 (1) the offense is committed against a person whose
 9-58 relationship to or association with the defendant is described by
 9-59 Section 71.0021(b), 71.003, or 71.005, Family Code;

9-60 (2) it is shown on the trial of the offense that the
 9-61 defendant has been previously convicted of an offense under this
 9-62 chapter, Chapter 19, or Section 20.03, 20.04, or 21.11 against a
 9-63 person whose relationship to or association with the defendant is
 9-64 described by Section 71.0021(b), 71.003, or 71.005, Family Code;
 9-65 and

9-66 (3) the offense is committed by intentionally,
 9-67 knowingly, or recklessly impeding the normal breathing or
 9-68 circulation of the blood of the person by applying pressure to the
 9-69 person's throat or neck or by blocking the person's nose or mouth.

10-1 (f) For the purposes of Subsections (b)(2)(A) and (b-2)(2)
10-2 [~~(b-1)(2)~~]:

10-3 (1) a defendant has been previously convicted of an
10-4 offense listed in those subsections committed against a person
10-5 whose relationship to or association with the defendant is
10-6 described by Section 71.0021(b), 71.003, or 71.005, Family Code, if
10-7 the defendant was adjudged guilty of the offense or entered a plea
10-8 of guilty or nolo contendere in return for a grant of deferred
10-9 adjudication, regardless of whether the sentence for the offense
10-10 was ever imposed or whether the sentence was probated and the
10-11 defendant was subsequently discharged from community supervision;
10-12 and

10-13 (2) a conviction under the laws of another state for an
10-14 offense containing elements that are substantially similar to the
10-15 elements of an offense listed in those subsections is a conviction
10-16 of the offense listed.

10-17 SECTION 29. The heading to Section 22.11, Penal Code, is
10-18 amended to read as follows:

10-19 Sec. 22.11. HARASSMENT BY PERSONS IN CERTAIN [~~CORRECTIONAL~~]
10-20 FACILITIES; HARASSMENT OF PUBLIC SERVANT.

10-21 SECTION 30. Sections 22.11(a) and (e), Penal Code, are
10-22 amended to read as follows:

10-23 (a) A person commits an offense if, with the intent to
10-24 assault, harass, or alarm, the person:

10-25 (1) while imprisoned or confined in a correctional or
10-26 detention facility, causes another person to contact the blood,
10-27 seminal fluid, vaginal fluid, saliva, urine, or feces of the actor,
10-28 any other person, or an animal; [~~or~~]

10-29 (2) while committed to a civil commitment facility,
10-30 causes:

10-31 (A) an officer or employee of the Texas Civil
10-32 Commitment Office to contact the blood, seminal fluid, vaginal
10-33 fluid, saliva, urine, or feces of the actor, any other person, or an
10-34 animal:

10-35 (i) while the officer or employee is
10-36 lawfully discharging an official duty at a civil commitment
10-37 facility; or

10-38 (ii) in retaliation for or on account of an
10-39 exercise of official power or performance of an official duty by the
10-40 officer or employee; or

10-41 (B) a person who contracts with the state to
10-42 perform a service in the facility or an employee of that person to
10-43 contact the blood, seminal fluid, vaginal fluid, saliva, urine, or
10-44 feces of the actor, any other person, or an animal:

10-45 (i) while the person or employee is engaged
10-46 in performing a service within the scope of the contract, if the
10-47 actor knows the person or employee is authorized by the state to
10-48 provide the service; or

10-49 (ii) in retaliation for or on account of the
10-50 person's or employee's performance of a service within the scope of
10-51 the contract; or

10-52 (3) causes another person the actor knows to be a
10-53 public servant to contact the blood, seminal fluid, vaginal fluid,
10-54 saliva, urine, or feces of the actor, any other person, or an animal
10-55 while the public servant is lawfully discharging an official duty
10-56 or in retaliation or on account of an exercise of the public
10-57 servant's official power or performance of an official duty.

10-58 (e) For purposes of Subsection (a)(3) [~~(a)(2)~~], the actor is
10-59 presumed to have known the person was a public servant if the person
10-60 was wearing a distinctive uniform or badge indicating the person's
10-61 employment as a public servant.

10-62 SECTION 31. The heading to Section 38.11, Penal Code, is
10-63 amended to read as follows:

10-64 Sec. 38.11. PROHIBITED SUBSTANCES AND ITEMS IN CORRECTIONAL
10-65 OR CIVIL COMMITMENT FACILITY.

10-66 SECTION 32. Sections 38.11(a), (b), (c), (d), (e), and (i),
10-67 Penal Code, are amended to read as follows:

10-68 (a) A person commits an offense if the person provides, or
10-69 possesses with the intent to provide:

11-1 (1) an alcoholic beverage, controlled substance, or
11-2 dangerous drug to a person in the custody of a correctional facility
11-3 or civil commitment facility, except on the prescription of a
11-4 practitioner;

11-5 (2) a deadly weapon to a person in the custody of a
11-6 correctional facility or civil commitment facility;

11-7 (3) a cellular telephone or other wireless
11-8 communications device or a component of one of those devices to a
11-9 person in the custody of a correctional facility;

11-10 (4) money to a person confined in a correctional
11-11 facility; or

11-12 (5) a cigarette or tobacco product to a person
11-13 confined in a correctional facility, except that if the facility is
11-14 a local jail regulated by the Commission on Jail Standards, the
11-15 person commits an offense only if providing the cigarette or
11-16 tobacco product violates a rule or regulation adopted by the
11-17 sheriff or jail administrator that:

11-18 (A) prohibits the possession of a cigarette or
11-19 tobacco product by a person confined in the jail; or

11-20 (B) places restrictions on:

11-21 (i) the possession of a cigarette or
11-22 tobacco product by a person confined in the jail; or

11-23 (ii) the manner in which a cigarette or
11-24 tobacco product may be provided to a person confined in the jail.

11-25 (b) A person commits an offense if the person takes an
11-26 alcoholic beverage, controlled substance, or dangerous drug into a
11-27 correctional facility or civil commitment facility.

11-28 (c) A person commits an offense if the person takes a
11-29 controlled substance or dangerous drug on property owned, used, or
11-30 controlled by a correctional facility or civil commitment facility.

11-31 (d) A person commits an offense if the person:

11-32 (1) possesses a controlled substance or dangerous drug
11-33 while in a correctional facility or civil commitment facility or on
11-34 property owned, used, or controlled by a correctional facility or
11-35 civil commitment facility; or

11-36 (2) possesses a deadly weapon while in a correctional
11-37 facility or civil commitment facility.

11-38 (e) It is an affirmative defense to prosecution under
11-39 Subsection (b), (c), or (d)(1) that the person possessed the
11-40 alcoholic beverage, controlled substance, or dangerous drug
11-41 pursuant to a prescription issued by a practitioner or while
11-42 delivering the beverage, substance, or drug to a warehouse,
11-43 pharmacy, or practitioner on property owned, used, or controlled by
11-44 the correctional facility or civil commitment facility. It is an
11-45 affirmative defense to prosecution under Subsection (d)(2) that the
11-46 person possessing the deadly weapon is a peace officer or is an
11-47 officer or employee of the correctional facility or civil
11-48 commitment facility who is authorized to possess the deadly weapon
11-49 while on duty or traveling to or from the person's place of
11-50 assignment.

11-51 (i) It is an affirmative defense to prosecution under
11-52 Subsection (b) that the actor:

11-53 (1) is a duly authorized member of the clergy with
11-54 rights and privileges granted by an ordaining authority that
11-55 includes administration of a religious ritual or ceremony requiring
11-56 the presence or consumption of an alcoholic beverage; and

11-57 (2) takes four ounces or less of an alcoholic beverage
11-58 into a ~~the~~ correctional facility and personally consumes all of
11-59 the alcoholic beverage or departs from the facility with any
11-60 portion of the beverage not consumed.

11-61 SECTION 33. Section 46.035(b), Penal Code, is amended to
11-62 read as follows:

11-63 (b) A license holder commits an offense if the license
11-64 holder intentionally, knowingly, or recklessly carries a handgun
11-65 under the authority of Subchapter H, Chapter 411, Government Code,
11-66 regardless of whether the handgun is concealed or carried in a
11-67 shoulder or belt holster, on or about the license holder's person:

11-68 (1) on the premises of a business that has a permit or
11-69 license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic

12-1 Beverage Code, if the business derives 51 percent or more of its
 12-2 income from the sale or service of alcoholic beverages for
 12-3 on-premises consumption, as determined by the Texas Alcoholic
 12-4 Beverage Commission under Section 104.06, Alcoholic Beverage Code;
 12-5 (2) on the premises where a high school, collegiate,
 12-6 or professional sporting event or interscholastic event is taking
 12-7 place, unless the license holder is a participant in the event and a
 12-8 handgun is used in the event;
 12-9 (3) on the premises of a correctional facility;
 12-10 (4) on the premises of a hospital licensed under
 12-11 Chapter 241, Health and Safety Code, or on the premises of a nursing
 12-12 facility licensed under Chapter 242, Health and Safety Code, unless
 12-13 the license holder has written authorization of the hospital or
 12-14 nursing facility administration, as appropriate;
 12-15 (5) in an amusement park; [~~or~~]
 12-16 (6) on the premises of a church, synagogue, or other
 12-17 established place of religious worship; or
 12-18 (7) on the premises of a civil commitment facility.

12-19 SECTION 34. Section 25.025(a), Tax Code, is amended to read
 12-20 as follows:

12-21 (a) This section applies only to:
 12-22 (1) a current or former peace officer as defined by
 12-23 Article 2.12, Code of Criminal Procedure;
 12-24 (2) a county jailer as defined by Section 1701.001,
 12-25 Occupations Code;
 12-26 (3) an employee of the Texas Department of Criminal
 12-27 Justice;
 12-28 (4) a commissioned security officer as defined by
 12-29 Section 1702.002, Occupations Code;
 12-30 (5) a victim of family violence as defined by Section
 12-31 71.004, Family Code, if as a result of the act of family violence
 12-32 against the victim, the actor is convicted of a felony or a Class A
 12-33 misdemeanor;
 12-34 (6) a federal judge, a state judge, or the spouse of a
 12-35 federal judge or state judge;
 12-36 (7) a current or former employee of a district
 12-37 attorney, criminal district attorney, or county or municipal
 12-38 attorney whose jurisdiction includes any criminal law or child
 12-39 protective services matters;
 12-40 (8) an officer or employee of a community supervision
 12-41 and corrections department established under Chapter 76,
 12-42 Government Code, who performs a duty described by Section 76.004(b)
 12-43 of that code;
 12-44 (9) a criminal investigator of the United States as
 12-45 described by Article 2.122(a), Code of Criminal Procedure;
 12-46 (10) a police officer or inspector of the United
 12-47 States Federal Protective Service;
 12-48 (11) a current or former United States attorney or
 12-49 assistant United States attorney and the spouse and child of the
 12-50 attorney;
 12-51 (12) a current or former employee of the office of the
 12-52 attorney general who is or was assigned to a division of that office
 12-53 the duties of which involve law enforcement;
 12-54 (13) a medical examiner or person who performs
 12-55 forensic analysis or testing who is employed by this state or one or
 12-56 more political subdivisions of this state;
 12-57 (14) a current or former member of the United States
 12-58 armed forces who has served in an area that the president of the
 12-59 United States by executive order designates for purposes of 26
 12-60 U.S.C. Section 112 as an area in which armed forces of the United
 12-61 States are or have engaged in combat;
 12-62 (15) a current or former employee of the Texas
 12-63 Juvenile Justice Department or of the predecessors in function of
 12-64 the department;
 12-65 (16) a current or former juvenile probation or
 12-66 supervision officer certified by the Texas Juvenile Justice
 12-67 Department, or the predecessors in function of the department,
 12-68 under Title 12, Human Resources Code; [~~and~~]
 12-69 (17) a current or former employee of a juvenile

13-1 justice program or facility, as those terms are defined by Section
13-2 261.405, Family Code; and
13-3 (18) a current or former employee of the Texas Civil
13-4 Commitment Office or of the predecessor in function of the office or
13-5 a division of the office.

13-6 SECTION 35. Section 521.101(h), Transportation Code, is
13-7 amended to read as follows:

13-8 (h) The department shall automatically revoke each personal
13-9 identification certificate issued by the department to a person
13-10 who:

13-11 (1) is subject to the registration requirements of
13-12 Chapter 62, Code of Criminal Procedure; and

13-13 (2) fails to apply to the department for renewal of the
13-14 personal identification certificate as required by Article 62.060
13-15 or 62.2021, Code of Criminal Procedure, as applicable.

13-16 SECTION 36. Section 521.103(b), Transportation Code, is
13-17 amended to read as follows:

13-18 (b) A personal identification certificate issued under this
13-19 section, including a renewal, duplicate, or corrected certificate,
13-20 expires on the first birthday of the certificate holder occurring
13-21 after the date of application, except that:

13-22 (1) the initial certificate issued under this section
13-23 expires on the second birthday of the certificate holder occurring
13-24 after the date of application, subject to Subdivision (2); and

13-25 (2) a certificate issued under this section to a
13-26 person described by Article 62.2021, Code of Criminal Procedure,
13-27 expires on the sixth anniversary of the date on which the
13-28 certificate was issued.

13-29 SECTION 37. Section 521.272(c), Transportation Code, is
13-30 amended to read as follows:

13-31 (c) Notwithstanding Sections 521.271 and 521.2711, a
13-32 driver's license issued under this section, including a renewal,
13-33 duplicate, or corrected license, expires:

13-34 (1) if the license holder is a citizen, national, or
13-35 legal permanent resident of the United States or a refugee or asylee
13-36 lawfully admitted into the United States, on the first birthday of
13-37 the license holder occurring after the date of application, except
13-38 that:

13-39 (A) the initial license issued under this section
13-40 expires on the second birthday of the license holder occurring
13-41 after the date of application, subject to Paragraph (B); and

13-42 (B) a license issued under this section to a
13-43 person described by Article 62.2021, Code of Criminal Procedure,
13-44 expires on the sixth anniversary of the date on which the license
13-45 was issued; or

13-46 (2) if the applicant is not described by Subdivision
13-47 (1), on the earlier of:

13-48 (A) the expiration date of the applicant's
13-49 authorized stay in the United States; or

13-50 (B) as applicable:

13-51 (i) the first birthday of the license
13-52 holder occurring after the date of application;

13-53 (ii) if the license holder holds an initial
13-54 license issued under this section, ~~except that the initial license~~
13-55 ~~issued under this section expires on~~ the second birthday of the
13-56 license holder occurring after the date of application; or

13-57 (iii) if the license holder is a person
13-58 described by Article 62.2021, Code of Criminal Procedure, the sixth
13-59 anniversary of the date on which the license was issued.

13-60 SECTION 38. Section 521.348(a), Transportation Code, is
13-61 amended to read as follows:

13-62 (a) A driver's license is automatically revoked if the
13-63 holder of the license:

13-64 (1) is subject to the registration requirements of
13-65 Chapter 62, Code of Criminal Procedure; and

13-66 (2) fails to apply to the department for renewal of the
13-67 license as required by Article 62.060 or 62.2021, Code of Criminal
13-68 Procedure, as applicable.

13-69 SECTION 39. Section 521.421(a-1), Transportation Code, is

14-1 amended to read as follows:

14-2 (a-1) The fee for a personal identification certificate
14-3 issued under Section 501.0165, Government Code, or Section 841.153,
14-4 Health and Safety Code, is \$5.

14-5 SECTION 40. Section 522.033(b), Transportation Code, is
14-6 amended to read as follows:

14-7 (b) Notwithstanding Sections 522.013 and 522.051, a
14-8 commercial driver's license issued under this section, including a
14-9 renewal, duplicate, or corrected license, expires on the first
14-10 birthday of the license holder occurring after the date of
14-11 application, except that:

14-12 (1) the initial license issued under this section
14-13 expires on the second birthday of the license holder occurring
14-14 after the date of application, subject to Subdivision (2); and

14-15 (2) a license issued under this section to a person
14-16 described by Article 62.2021, Code of Criminal Procedure, expires
14-17 on the fifth anniversary of the date on which the license was
14-18 issued.

14-19 SECTION 41. The following provisions are repealed:

14-20 (1) Sections 420A.009(b) and (c), Government Code; and

14-21 (2) Section 841.141(b), Health and Safety Code.

14-22 SECTION 42. Article 17.03, Code of Criminal Procedure, as
14-23 amended by this Act, applies only to a personal bond that is
14-24 executed on or after the effective date of this Act. A personal
14-25 bond executed before the effective date of this Act is governed by
14-26 the law in effect when the personal bond was executed, and the
14-27 former law is continued in effect for that purpose.

14-28 SECTION 43. Chapter 62, Code of Criminal Procedure, as
14-29 amended by this Act, applies to any person who, on or after the
14-30 effective date of this Act, is required to register under that
14-31 chapter, regardless of whether the offense or conduct for which the
14-32 person is required to register occurs before, on, or after the
14-33 effective date of this Act.

14-34 SECTION 44. Sections 552.117(a) and 552.1175(a),
14-35 Government Code, and Section 25.025(a), Tax Code, as amended by
14-36 this Act, apply only to a request for information that is received
14-37 by a governmental body or an officer for public information on or
14-38 after the effective date of this Act. A request for information
14-39 that was received before the effective date of this Act is governed
14-40 by the law in effect on the date the request was received, and the
14-41 former law is continued in effect for that purpose.

14-42 SECTION 45. If a civil commitment requirement imposed under
14-43 Chapter 841, Health and Safety Code, before the effective date of
14-44 this Act differs from any of the civil commitment requirements
14-45 listed in Section 841.082, Health and Safety Code, as amended by
14-46 this Act, the applicable court with jurisdiction over the committed
14-47 person shall, after notice and hearing by submission, modify the
14-48 requirement imposed as applicable to conform to that section.

14-49 SECTION 46. Section 841.0834(e), Health and Safety Code, as
14-50 added by this Act, applies only to a petition filed on or after the
14-51 effective date of this Act. A petition filed before the effective
14-52 date of this Act is governed by the law in effect when the petition
14-53 was filed, and the former law is continued in effect for that
14-54 purpose.

14-55 SECTION 47. Sections 22.01, 22.11, 38.11, and 46.035, Penal
14-56 Code, as amended by this Act, apply only to an offense committed on
14-57 or after the effective date of this Act. An offense committed
14-58 before the effective date of this Act is governed by the law in
14-59 effect on the date the offense was committed, and the former law is
14-60 continued in effect for that purpose. For purposes of this section,
14-61 an offense was committed before the effective date of this Act if
14-62 any element of the offense occurred before that date.

14-63 SECTION 48. The members of the board of the Texas Civil
14-64 Commitment Office serving on the effective date of this Act may draw
14-65 lots or use another method to determine the members who shall serve
14-66 terms that expire as provided by Section 420A.002(c), Government
14-67 Code, as amended by this Act, in 2019, 2021, or 2023, respectively.
14-68 The members of the board appointed to succeed the members serving on
14-69 the effective date of this Act shall serve six-year terms.

15-1

SECTION 49. This Act takes effect September 1, 2017.

15-2

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