

1-1 By: Perry, Flores S.B. No. 1610  
1-2 (In the Senate - Filed February 25, 2025; March 10, 2025,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 March 31, 2025, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 7, Nays 0; March 31, 2025,  
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Flores	X			
1-10	Parker	X			
1-11	Hagenbuch	X			
1-12	Hinojosa of Hidalgo	X			
1-13	Huffman	X			
1-14	King	X			
1-15	Miles	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1610 By: Flores

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to sexually violent predators, to the Texas Civil  
1-20 Commitment Office, and to the prosecution of the offense of  
1-21 harassment by sexually violent predators and other persons confined  
1-22 in certain facilities; amending certain sex offender registration  
1-23 requirements; increasing criminal penalties.

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

1-25 SECTION 1. Section 12.42, Penal Code, is amended by  
1-26 amending Subsection (d) and adding Subsection (e) to read as  
1-27 follows:

1-28 (d) Except as provided by Subsection (c)(2), ~~or~~ (c)(4), or  
1-29 (e), if it is shown on the trial of a felony offense other than a  
1-30 state jail felony punishable under Section 12.35(a) that the  
1-31 defendant has previously been finally convicted of two felony  
1-32 offenses, and the second previous felony conviction is for an  
1-33 offense that occurred subsequent to the first previous conviction  
1-34 having become final, on conviction the defendant shall be punished  
1-35 by imprisonment in the Texas Department of Criminal Justice for  
1-36 life, or for any term of not more than 99 years or less than 25  
1-37 years. A previous conviction for a state jail felony punishable  
1-38 under Section 12.35(a) may not be used for enhancement purposes  
1-39 under this subsection.

1-40 (e) Notwithstanding Subsection (c) or (d), if it is shown on  
1-41 the trial of a felony offense other than a state jail felony  
1-42 punishable under Section 12.35(a) that the defendant was civilly  
1-43 committed as a sexually violent predator under Chapter 841, Health  
1-44 and Safety Code, at the time of the offense, on conviction the  
1-45 defendant shall be punished by imprisonment in the Texas Department  
1-46 of Criminal Justice for life, or for any term of not more than 99  
1-47 years or less than 25 years.

1-48 SECTION 2. Section 21.08(b), Penal Code, as amended by  
1-49 Chapters 351 (S.B. 1179) and 822 (H.B. 1730), Acts of the 88th  
1-50 Legislature, Regular Session, 2023, is reenacted and amended to  
1-51 read as follows:

1-52 (b) An offense under this section is a Class B misdemeanor,  
1-53 except that the offense is:

1-54 (1) a Class A misdemeanor if it is shown on the trial  
1-55 of the offense that the defendant has been previously convicted one  
1-56 time of an offense under this section; ~~and~~

1-57 (2) a state jail felony if it is shown on the trial of  
1-58 the offense that the defendant has been previously convicted two or  
1-59 more times of an offense under this section; or

1-60 (3) a felony of the third degree if the actor is

civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code.

SECTION 3. Section 22.01, Penal Code, is amended by adding Subsection (d-1) to read as follows:

(d-1) The actor is presumed to have known the person assaulted was a person described by Subsection (b-1)(2)(A) or (B), as applicable, if the person was wearing a distinctive uniform or badge indicating the person's status as an officer or employee of the Texas Civil Commitment Office or a contractor or employee of a contractor performing a service in a civil commitment facility.

SECTION 4. Section 22.012(b), Penal Code, is amended to read as follows:

(b) An offense under this section is a Class A misdemeanor, except that the offense is:

(1) a state jail felony if it is shown on the trial of the offense that:

(A) the defendant has been previously convicted of an offense under this section, other than an offense punishable under Paragraph (B); or

(B) the defendant is a health care services provider or a mental health services provider and the act is:

(i) committed during the course of providing a treatment or service to the victim; and

(ii) beyond the scope of generally accepted practices for the treatment or service; ~~or~~

(2) a felony of the third degree if it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this section that is punishable under Subdivision (1)(B); or

(3) a felony of the third degree if the offense is committed by an actor who is committed to a civil commitment facility, against:

(A) a person the actor knows is an officer or employee of the Texas Civil Commitment Office:

(i) while the officer or employee is lawfully discharging an official duty; or

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

(B) a person the actor knows is contracting with the state to perform a service in a civil commitment facility or an employee of that person:

(i) while the person or employee is engaged in performing a service within the scope of the contract; or

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

SECTION 5. Section 22.02, Penal Code, is amended by amending Subsection (b) and adding Subsection (c-1) to read as follows:

(b) An offense under this section is a felony of the second degree, except that the offense is a felony of the first degree if:

(1) the actor uses a deadly weapon during the commission of the assault and causes:

(A) serious bodily injury to a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code; or

(B) a traumatic brain or spine injury to another that results in a persistent vegetative state or irreversible paralysis;

(2) regardless of whether the offense is committed under Subsection (a)(1) or (a)(2), the offense is committed:

(A) by a public servant acting under color of the servant's office or employment;

(B) against a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant;

(C) in retaliation against or on account of the service of another as a witness, prospective witness, informant, or person who has reported the occurrence of a crime;

(D) against a person the actor knows is a process server while the person is performing a duty as a process server; ~~or~~

(E) against a person the actor knows is a security officer while the officer is performing a duty as a security officer; or

(F) by an actor who is committed to a civil commitment facility, against:

(i) a person the actor knows is an officer or employee of the Texas Civil Commitment Office:

(a) while the officer or employee is lawfully discharging an official duty; or

(b) in retaliation for or on account of an exercise of official power or performance of an official duty by the officer or employee; or

(ii) a person the actor knows is contracting with the state to perform a service in a civil commitment facility or an employee of that person:

(a) while the person or employee is engaged in performing a service within the scope of the contract; or

(b) in retaliation for or on account of the person's or employee's performance of a service within the scope of the contract;

(3) the actor is in a motor vehicle, as defined by Section 501.002, Transportation Code, and:

(A) knowingly discharges a firearm at or in the direction of a habitation, building, or vehicle;

(B) is reckless as to whether the habitation, building, or vehicle is occupied; and

(C) in discharging the firearm, causes serious bodily injury to any person; or

(4) the actor commits the assault as part of a mass shooting.

(c-1) The actor is presumed to have known the person assaulted was a person described by Subsection (b)(2)(F)(i) or (ii), as applicable, if the person was wearing a distinctive uniform or badge indicating the person's status as an officer or employee of the Texas Civil Commitment Office or a contractor or employee of a contractor performing a service in a civil commitment facility.

SECTION 6. Section 22.11, Penal Code, is amended by amending Subsection (a) and adding Subsections (f) and (g) to read as follows:

(a) A person commits an offense if, with the intent to assault, harass, annoy, ~~or~~ alarm, abuse, torment, or embarrass the person:

(1) while imprisoned or confined in a correctional or detention facility, causes another person to contact the blood, seminal fluid, vaginal fluid, saliva, urine, or feces of the actor, any other person, or an animal, or any other fluid or liquid;

(2) while committed to a civil commitment facility, causes:

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

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

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

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

4-1 fluid or liquid:

4-2 (i) while the person or employee is engaged  
4-3 in performing a service within the scope of the contract, if the  
4-4 actor knows the person or employee is authorized by the state to  
4-5 provide the service; or

4-6 (ii) in retaliation for or on account of the  
4-7 person's or employee's performance of a service within the scope of  
4-8 the contract; or

4-9 (3) causes another person the actor knows to be a  
4-10 public servant to contact the blood, seminal fluid, vaginal fluid,  
4-11 saliva, urine, or feces of the actor, any other person, or an  
4-12 animal, or any other fluid or liquid, while the public servant is  
4-13 lawfully discharging an official duty or in retaliation or on  
4-14 account of an exercise of the public servant's official power or  
4-15 performance of an official duty.

4-16 (f) For purposes of Subsection (a)(2), the actor is presumed  
4-17 to have known the person was an officer or employee of the Texas  
4-18 Civil Commitment Office or a person who contracts with the state to  
4-19 perform a service in a civil commitment facility or an employee of  
4-20 that person, as applicable, if the person was wearing a distinctive  
4-21 uniform or badge indicating the person's status as an officer or  
4-22 employee of the Texas Civil Commitment Office or a contractor or  
4-23 employee of a contractor performing a service in a civil commitment  
4-24 facility.

4-25 (g) It is not a defense to prosecution under Subsection (a)  
4-26 that the actor warned any person that the actor intended to violate  
4-27 Subsection (a).

4-28 SECTION 7. Section 36.06(b)(3), Penal Code, is amended to  
4-29 read as follows:

4-30 (3) "Public servant" has the meaning assigned by  
4-31 Section 1.07, except that the term also includes:

4-32 (A) an honorably retired peace officer; and

4-33 (B) a person who contracts with the state to  
4-34 perform a service in a civil commitment facility or an employee of  
4-35 that person.

4-36 SECTION 8. Section 38.11, Penal Code, is amended by  
4-37 amending Subsection (a) and adding Subsection (l) to read as  
4-38 follows:

4-39 (a) A person commits an offense if the person provides, or  
4-40 possesses with the intent to provide:

4-41 (1) an alcoholic beverage, controlled substance, or  
4-42 dangerous drug to a person in the custody of a correctional facility  
4-43 or residing in a civil commitment facility, except on the  
4-44 prescription of a practitioner;

4-45 (2) a deadly weapon to a person in the custody of a  
4-46 correctional facility or residing in a civil commitment facility;

4-47 (3) a cellular telephone or other wireless  
4-48 communications device or a component of one of those devices to a  
4-49 person in the custody of a correctional facility;

4-50 (4) money to a person confined in a correctional  
4-51 facility; ~~or~~

4-52 (5) a cigarette or tobacco product to a person  
4-53 confined in a correctional facility, except that if the facility is  
4-54 a local jail regulated by the Commission on Jail Standards, the  
4-55 person commits an offense only if providing the cigarette or  
4-56 tobacco product violates a rule or regulation adopted by the  
4-57 sheriff or jail administrator that:

4-58 (A) prohibits the possession of a cigarette or  
4-59 tobacco product by a person confined in the jail; or

4-60 (B) places restrictions on:

4-61 (i) the possession of a cigarette or  
4-62 tobacco product by a person confined in the jail; or

4-63 (ii) the manner in which a cigarette or  
4-64 tobacco product may be provided to a person confined in the jail; or

4-65 (6) a cigarette, e-cigarette, nicotine product, or  
4-66 tobacco product to a person residing in a civil commitment  
4-67 facility.

4-68 (l) A person commits an offense if the person, while  
4-69 residing in a civil commitment facility:



(1) possesses a cigarette, e-cigarette, nicotine product, or tobacco product; or

(2) manufactures an alcoholic beverage.

SECTION 9. Section 38.11(f), Penal Code, is amended by adding Subdivisions (7) and (8) to read as follows:

(7) "E-cigarette" has the meaning assigned by Section 161.081, Health and Safety Code.

(8) "Nicotine product" means a product that contains nicotine from any source, regardless of whether the product is a tobacco product.

SECTION 10. Article 13A.554, Code of Criminal Procedure, is amended to read as follows:

Art. 13A.554. FELONY OFFENSE COMMITTED BY CIVILLY COMMITTED ~~[FAILURE TO COMPLY WITH]~~ SEXUALLY VIOLENT PREDATOR ~~[CIVIL COMMITMENT REQUIREMENT]~~. A felony ~~[An]~~ offense committed by a person civilly committed under Chapter 841 ~~[Section 841.085]~~, Health and Safety Code, may be prosecuted in:

(1) any county in which an element of the offense occurs; or

(2) the court that retains jurisdiction over the civil commitment proceeding under Section 841.082, Health and Safety Code.

SECTION 11. Article 14.03(a), Code of Criminal Procedure, is amended to read as follows:

(a) Any peace officer may arrest, without warrant:

(1) persons found in suspicious places and under circumstances which reasonably show that such persons have been guilty of some felony, violation of Title 9, Chapter 42, Penal Code, breach of the peace, or offense under Section 49.02, Penal Code, or threaten, or are about to commit some offense against the laws;

(2) persons who the peace officer has probable cause to believe have committed an assault resulting in bodily injury to another person and the peace officer has probable cause to believe that there is danger of further bodily injury to that person;

(3) persons who the peace officer has probable cause to believe have committed an offense defined by Section 25.07, Penal Code, if the offense is not committed in the presence of the peace officer;

(4) persons who the peace officer has probable cause to believe have committed an offense involving family violence;

(5) persons who the peace officer has probable cause to believe have prevented or interfered with an individual's ability to place a telephone call in an emergency, as defined by Section 42.062(d), Penal Code, if the offense is not committed in the presence of the peace officer; ~~[or]~~

(6) a person who makes a statement to the peace officer that would be admissible against the person under Article 38.21 and establishes probable cause to believe that the person has committed a felony; or

(7) a person who the peace officer has probable cause to believe has committed a felony offense while civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code.

SECTION 12. Article 14.06(a), Code of Criminal Procedure, is amended to read as follows:

(a) Except as otherwise provided by this article, in each case enumerated in this Code, the person making the arrest or the person having custody of the person arrested shall take the person arrested or have him taken without unnecessary delay, but not later than 48 hours after the person is arrested, before the magistrate who may have ordered the arrest, before some magistrate of the county where the arrest was made without an order, or, to provide more expeditiously to the person arrested the warnings described by Article 15.17 ~~[of this Code]~~, before a magistrate in any other county of this state. The magistrate shall immediately perform the duties described in Article 15.17 in any manner permitted by that article ~~[of this Code]~~.

SECTION 13. Articles 15.17(a) and (b), Code of Criminal Procedure, are amended to read as follows:

(a) In each case enumerated in this Code, the person making the arrest or the person having custody of the person arrested shall without unnecessary delay, but not later than 48 hours after the person is arrested, take the person arrested or have him taken before some magistrate of the county where the accused was arrested or, to provide more expeditiously to the person arrested the warnings described by this article, before a magistrate in any other county of this state. The arrested person may be taken before the magistrate in person or the image of the arrested person may be presented to the magistrate by means of a videoconference. If the arrested person is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, and residing at a civil commitment facility as defined by Section 1.07, Penal Code, the magistrate may also choose to perform the duties of this article at the civil commitment facility. The magistrate shall inform in clear language the person arrested, either in person or through a videoconference, of the accusation against him and of any affidavit filed therewith, of his right to retain counsel, of his right to remain silent, of his right to have an attorney present during any interview with peace officers or attorneys representing the state, of his right to terminate the interview at any time, and of his right to have an examining trial. The magistrate shall also inform the person arrested of the person's right to request the appointment of counsel if the person cannot afford counsel. The magistrate shall inform the person arrested of the procedures for requesting appointment of counsel. If applicable, the magistrate shall inform the person that the person may file the affidavit described by Article 17.028(f). If the person does not speak and understand the English language or is deaf, the magistrate shall inform the person in a manner consistent with Articles 38.30 and 38.31, as appropriate. The magistrate shall ensure that reasonable assistance in completing the necessary forms for requesting appointment of counsel is provided to the person at the same time. If the person arrested is indigent and requests appointment of counsel and if the magistrate is authorized under Article 26.04 to appoint counsel for indigent defendants in the county, the magistrate shall appoint counsel in accordance with Article 1.051. If the magistrate is not authorized to appoint counsel, the magistrate shall without unnecessary delay, but not later than 24 hours after the person arrested requests appointment of counsel, transmit, or cause to be transmitted to the court or to the courts' designee authorized under Article 26.04 to appoint counsel in the county, the forms requesting the appointment of counsel. The magistrate shall also inform the person arrested that he is not required to make a statement and that any statement made by him may be used against him. The magistrate shall allow the person arrested reasonable time and opportunity to consult counsel and shall, after determining whether the person is currently on bail for a separate criminal offense and whether the bail decision is subject to Article 17.027, admit the person arrested to bail if allowed by law. A record of the communication between the arrested person and the magistrate shall be made. The record shall be preserved until the earlier of the following dates: (1) the date on which the pretrial hearing ends; or (2) the 91st day after the date on which the record is made if the person is charged with a misdemeanor or the 120th day after the date on which the record is made if the person is charged with a felony. For purposes of this subsection, "videoconference" means a two-way electronic communication of image and sound between the arrested person and the magistrate and includes secure Internet videoconferencing.

(b) After an accused charged with a misdemeanor punishable by fine only is taken before a magistrate under Subsection (a) and the magistrate has identified the accused with certainty, the magistrate may release the accused without bond and order the accused to appear at a later date for arraignment in the applicable justice court or municipal court. The order must state in writing the time, date, and place of the arraignment, and the magistrate must sign the order. The accused shall receive a copy of the order on release. If an accused fails to appear as required by the order,

the judge of the court in which the accused is required to appear shall issue a warrant for the arrest of the accused. If the accused is arrested and brought before the judge, the judge may admit the accused to bail, and in admitting the accused to bail, the judge should set as the amount of bail an amount double that generally set for the offense for which the accused was arrested. This subsection does not apply to an accused who:

(1) has previously been convicted of a felony or a misdemeanor other than a misdemeanor punishable by fine only; or

(2) is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, at the time of the offense.

SECTION 14. Article 17.091, Code of Criminal Procedure, is amended to read as follows:

Art. 17.091. NOTICE OF CERTAIN BAIL REDUCTIONS REQUIRED. Before a judge or magistrate reduces the amount of bail set for a defendant charged with an offense listed in Article 42A.054 or an offense described by Article 62.001(5), or any felony offense committed while the defendant is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, the judge or magistrate shall provide:

(1) to the attorney representing the state, reasonable notice of the proposed bail reduction; and

(2) on request of the attorney representing the state or the defendant or the defendant's counsel, an opportunity for a hearing concerning the proposed bail reduction.

SECTION 15. Section 2, Article 17.151, Code of Criminal Procedure, is amended to read as follows:

Sec. 2. The provisions of this article do not apply to a defendant who is:

(1) serving a sentence of imprisonment for another offense while the defendant is serving that sentence;

(2) being detained pending trial of another accusation against the defendant as to which the applicable period has not yet elapsed;

(3) incompetent to stand trial, during the period of the defendant's incompetence; ~~or~~

(4) being detained for a violation of the conditions of a previous release related to the safety of a victim of the alleged offense or to the safety of the community under this article; or

(5) civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code.

SECTION 16. Chapter 17, Code of Criminal Procedure, is amended by adding Article 17.411 to read as follows:

Art. 17.411. CONDITIONS FOR CIVILLY COMMITTED SEXUALLY VIOLENT PREDATORS. (a) In this article, "civil commitment facility" has the meaning assigned by Section 1.07, Penal Code.

(b) This article applies only to a defendant who was civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, at the time of the alleged offense.

(c) A magistrate may impose any reasonable condition of bond related to the safety of a victim of the alleged offense, to the safety of the community, or to the safety of staff, contractors, or volunteers at a civil commitment facility.

(d) A magistrate shall impose as a condition of bond that the defendant:

(1) not commit a new offense while released on bond; and

(2) comply with the defendant's civil commitment order for purposes of ensuring a safe environment at the civil commitment facility.

(e) At a hearing limited to determining whether the defendant violated a condition of bond imposed under this article, the magistrate shall revoke the defendant's bond and order that the defendant be immediately returned to custody if the magistrate finds by a preponderance of the evidence that the violation occurred. Once the defendant is placed in custody, the revocation of the defendant's bond discharges the sureties on the bond, if any,



from any future liability on the bond. A discharge under this subsection from any future liability on the bond does not discharge any surety from liability for previous forfeitures on the bond.

SECTION 17. Article 42.08, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) When the same defendant has been convicted in two or more cases, judgment and sentence shall be pronounced in each case in the same manner as if there had been but one conviction. Except as provided by Subsections (b), ~~and~~ (c), and (d), in the discretion of the court, the judgment in the second and subsequent convictions may either be that the sentence imposed or suspended shall begin when the judgment and the sentence imposed or suspended in the preceding conviction has ceased to operate, or that the sentence imposed or suspended shall run concurrently with the other case or cases, and sentence and execution shall be accordingly; provided, however, that the cumulative total of suspended sentences in felony cases shall not exceed 10 years, and the cumulative total of suspended sentences in misdemeanor cases shall not exceed the maximum period of confinement in jail applicable to the misdemeanor offenses, though in no event more than three years, including extensions of periods of community supervision under Article 42A.752(a)(2), if none of the offenses are offenses under Chapter 49, Penal Code, or four years, including extensions, if any of the offenses are offenses under Chapter 49, Penal Code.

(d) If a defendant has been convicted in two or more cases and was civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, at the time that any of the offenses were committed, the court shall order the sentences for those offenses to run consecutively.

SECTION 18. Article 62.001(5), Code of Criminal Procedure, is amended to read as follows:

(5) "Reportable conviction or adjudication" means a conviction or adjudication, including an adjudication of delinquent conduct or a deferred adjudication, that, regardless of the pendency of an appeal, is a conviction for or an adjudication for or based on:

(A) a violation of Section 21.02 (Continuous sexual abuse of young child or disabled individual), 21.09 (Bestiality), 21.11 (Indecency with a child), 22.011 (Sexual assault), 22.021 (Aggravated sexual assault), or 25.02 (Prohibited sexual conduct), Penal Code;

(B) a violation of Section 43.04 (Aggravated promotion of prostitution), 43.05 (Compelling prostitution), 43.25 (Sexual performance by a child), or 43.26 (Possession or promotion of child pornography), Penal Code;

(B-1) a violation of Section 43.021 (Solicitation of Prostitution), Penal Code, if the offense is punishable as a felony of the second degree;

(C) a violation of Section 20.04(a)(4) (Aggravated kidnapping), Penal Code, if the actor committed the offense or engaged in the conduct with intent to violate or abuse the victim sexually;

(D) a violation of Section 30.02 (Burglary), Penal Code, if the offense or conduct is punishable under Subsection (d) of that section and the actor committed the offense or engaged in the conduct with intent to commit a felony listed in Paragraph (A) or (C);

(E) a violation of Section 20.02 (Unlawful restraint), 20.03 (Kidnapping), or 20.04 (Aggravated kidnapping), Penal Code, if, as applicable:

(i) the judgment in the case contains an affirmative finding under Article 42.015; or

(ii) the order in the hearing or the papers in the case contain an affirmative finding that the victim or intended victim was younger than 17 years of age;

(F) the second violation of Section 21.08 (Indecent exposure), Penal Code, but not if the second violation results in a deferred adjudication;



(G) an attempt, conspiracy, or solicitation, as defined by Chapter 15, Penal Code, to commit an offense or engage in conduct listed in Paragraph (A), (B), (C), (D), (E), (K), or (L);

(H) a violation of the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice for or based on the violation of an offense containing elements that are substantially similar to the elements of an offense listed under Paragraph (A), (B), (B-1), (C), (D), (E), (G), (J), (K), or (L), but not if the violation results in a deferred adjudication;

(I) the second violation of the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice for or based on the violation of an offense containing elements that are substantially similar to the elements of the offense of indecent exposure, but not if the second violation results in a deferred adjudication;

(J) a violation of Section 33.021 (Online solicitation of a minor), Penal Code;

(K) a violation of Section 20A.02(a)(3), (4), (7), or (8) (Trafficking of persons), Penal Code; ~~or~~

(L) a violation of Section 20A.03 (Continuous trafficking of persons), Penal Code, if the offense is based partly or wholly on conduct that constitutes an offense under Section 20A.02(a)(3), (4), (7), or (8) of that code; or

(M) a violation of any law of this state for which the person has been civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code.

SECTION 19. Article 62.008, Code of Criminal Procedure, is amended to read as follows:

Art. 62.008. GENERAL IMMUNITY. The following persons are immune from liability for good faith conduct under this chapter:

(1) an employee or officer of the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, the Department of Public Safety, the Board of Pardons and Paroles, the Texas Civil Commitment Office, or a local law enforcement authority;

(2) an employee or officer of a community supervision and corrections department or a juvenile probation department;

(3) a member of the judiciary; and

(4) a member of the risk assessment review committee established under Article 62.007.

SECTION 20. Article 62.058, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) This subsection applies to a [A] person subject to registration under this chapter who has for a sexually violent offense been convicted two or more times, received an order of deferred adjudication two or more times, or been convicted and received an order of deferred adjudication and to a person who has been civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, and is not required to reside in a civil commitment center. A person to whom this subsection applies shall report to the local law enforcement authority designated as the person's primary registration authority by the department not less than once in each 90-day period following the date the person first registered under this chapter to verify the information in the registration form maintained by the authority for that person. ~~[A person subject to registration under this chapter who is not subject to the 90-day reporting requirement described by this subsection shall report to the local law enforcement authority designated as the person's primary registration authority by the department once each year not earlier than the 30th day before and not later than the 30th day after the anniversary of the person's date of birth to verify the information in the registration form maintained by the authority for that person.]~~ For purposes of this subsection, a person complies with a requirement that the person register within a 90-day period following a date if the person registers at any time on or after the 83rd day following that date but before the 98th day after that date.

(a-1) A person subject to registration under this chapter who is not subject to the 90-day reporting requirement described by this article shall report to the local law enforcement authority designated as the person's primary registration authority by the department once each year not earlier than the 30th day before and not later than the 30th day after the anniversary of the person's date of birth to verify the information in the registration form maintained by the authority for that person.

SECTION 21. Article 62.063(b), Code of Criminal Procedure, is amended to read as follows:

(b) A person subject to registration under this chapter because of a reportable conviction or adjudication for which an affirmative finding is entered under Article 42.015(b) or 42A.105(a), as appropriate, or a person civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, may not, for compensation:

- (1) operate or offer to operate a bus;
- (2) provide or offer to provide a passenger taxicab or limousine transportation service;
- (3) provide or offer to provide any type of service in the residence of another person unless the provision of service will be supervised; ~~or~~
- (4) operate or offer to operate any amusement ride;
- (5) provide or offer to provide a service at a SAFE-ready facility, as defined by Section 323.001, Health and Safety Code, or another facility that provides forensic medical examinations to sexual assault survivors in accordance with Chapter 323, Health and Safety Code;
- (6) provide or offer to provide a service at a sexual assault program, as defined by Section 420.003, Government Code;
- (7) provide or offer to provide a service at a family violence center, as defined by Section 51.002, Human Resources Code;
- (8) provide or offer to provide a service at any public or private primary or secondary school; or
- (9) provide or offer to provide any coaching, tutoring, or mentoring service to a person younger than 18 years of age.

SECTION 22. Articles 62.101(a) and (b), Code of Criminal Procedure, are amended to read as follows:

(a) Except as provided by Subsection (b) and Subchapter I, the duty to register for a person ends when the person dies if the person has a reportable conviction or adjudication, other than an adjudication of delinquent conduct, for:

- (1) a sexually violent offense;
- (2) an offense under Section 20A.02(a)(3), (4), (7), or (8), 25.02, 43.05(a)(2) or (3), or 43.26, Penal Code;
- (3) an offense under Section 20A.03, Penal Code, if based partly or wholly on conduct that constitutes an offense under Section 20A.02(a)(3), (4), (7), or (8) of that code;
- (4) an offense under Section 21.11(a)(2), Penal Code, if before or after the person is convicted or adjudicated for the offense under Section 21.11(a)(2), Penal Code, the person receives or has received another reportable conviction or adjudication, other than an adjudication of delinquent conduct, for an offense or conduct that requires registration under this chapter;
- (5) an offense under Section 20.02, 20.03, or 20.04, Penal Code, if:

(A) the judgment in the case contains an affirmative finding under Article 42.015 or, for a deferred adjudication, the papers in the case contain an affirmative finding that the victim or intended victim was younger than 17 years of age; and

(B) before or after the person is convicted or adjudicated for the offense under Section 20.02, 20.03, or 20.04, Penal Code, the person receives or has received another reportable conviction or adjudication, other than an adjudication of delinquent conduct, for an offense or conduct that requires registration under this chapter; ~~or~~

(6) an offense under Section 43.23, Penal Code, that is punishable under Subsection (h) of that section; or

(7) an offense for which the person has been civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code.

(b) Except as provided by Subchapter I, the duty to register for a person otherwise subject to Subsection (a) ends on the 10th anniversary of the date on which the person is released from civil commitment as a sexually violent predator under Chapter 841, Health and Safety Code, the date on which the person is released from a penal institution or discharges community supervision, or the date on which the court dismisses the criminal proceedings against the person and discharges the person, whichever date is later, if the person's duty to register is based on a conviction or an order of deferred adjudication in a cause that was transferred to a district court or criminal district court under Section 54.02, Family Code.

SECTION 23. Article 66.102, Code of Criminal Procedure, is amended by adding Subsection (j) to read as follows:

(j) In addition to the information described by this article, information in the computerized criminal history system must include any civil commitment order issued under Chapter 841, Health and Safety Code.

SECTION 24. Section 14A.056, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 14A.056. CONDUCT OF PROCEEDINGS [HEARING]. (a) In this section, "remote proceeding" means a proceeding in which one or more of the participants, including a judge, civilly committed individual, party, attorney, witness, court reporter, or other individual, attends the proceeding remotely through the use of technology and the Internet, including through video communications technology.

(b) The court may, without the consent of the civilly committed individual or of the parties, hold a proceeding [hearing] under this chapter at a facility operated by or under contract with the office or [may] conduct a remote proceeding using [the hearing with video communications] technology that permits the court to see and hear the civilly committed individual and that permits the individual to see and hear the court and any other witness.

(c) [~~(b)~~] A remote proceeding [hearing] conducted under this section [by video communications technology] shall be recorded on videotape or by other electronic means. The recording is sufficient to serve as a permanent record of the proceeding [hearing].

SECTION 25. Section 411.1389, Government Code, is amended by adding Subsection (d) to read as follows:

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

(1) is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code; or

(2) was previously civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, and subsequently released by a court order.

SECTION 26. Section 420A.013(a), Government Code, is amended to read as follows:

(a) The office may adopt and implement policies that encourage family unity during a civilly committed sex offender's commitment. In adopting the policies, the office may consider the impact of a telephone, mail, and [~~in-person~~] visitation policy on a family member's ability to provide support to the offender through ongoing, appropriate contact with the offender while the offender participates in the treatment and supervision program.

SECTION 27. Section 2155.144(b-1), Government Code, is amended to read as follows:

(b-1) An agency to which this section applies, other than the Texas Civil Commitment Office, is not delegated the authority to procure common commodities or services:

(1) including goods and services acquired for direct consumption or use by the agency in the day-to-day support of the



agency's administrative operations, such as office supplies and equipment, building maintenance and cleaning services, or temporary employment services; and

(2) not including consulting services, professional services, health care services, information resources technology, goods or services acquired for the benefit or on behalf of clients of programs operated by the agency, procurements specifically authorized or delegated to the agency by statute, or the contracting out of agency purchasing functions or other administrative or program functions.

SECTION 28. Section 841.003(b), Health and Safety Code, is amended to read as follows:

(b) A person is a repeat sexually violent offender for the purposes of this chapter if the person is convicted of more than one sexually violent offense and a sentence is imposed for at least one of the offenses, or if the person is convicted of an offense under Section 21.02, Penal Code, and a sentence is imposed for the offense, or if:

(1) the person:

(A) is convicted of a sexually violent offense, regardless of whether the sentence for the offense was ever imposed or whether the sentence was probated and the person was subsequently discharged from community supervision;

(B) enters a plea of guilty or nolo contendere for a sexually violent offense in return for a grant of deferred adjudication; or

(C) is adjudicated by a juvenile court as having engaged in delinquent conduct constituting a sexually violent offense and is committed to the Texas Juvenile Justice Department under Section 54.04(d)(3) or (m), Family Code; and

(2) after the date on which under Subdivision (1) the person is convicted, receives a grant of deferred adjudication, or is adjudicated by a juvenile court as having engaged in delinquent conduct, the person commits a sexually violent offense for which the person is convicted, but only if the sentence for the offense is imposed.

SECTION 29. Section 841.021(d), Health and Safety Code, is amended to read as follows:

(d) The Texas Department of Criminal Justice may not provide notice under Subsection (a) of the anticipated release of a person for whom the department has previously provided notice under this section and who has been previously recommended for an assessment under Section 841.022 unless, after the recommendation for assessment was made:

(1) the person is convicted of a new sexually violent offense; or

(2) the person's parole or mandatory supervision is revoked based on:

(A) the commission of a new sexually violent offense;

(B) failure to adhere to the requirements of sex offender treatment or ~~and~~ supervision; or

(C) failure to register as a sex offender.

SECTION 30. Section 841.022, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) Records of the multidisciplinary team are confidential and not subject to disclosure under Chapter 552, Government Code.

SECTION 31. Section 841.083(d), Health and Safety Code, is amended to read as follows:

(d) The office shall enter into appropriate contracts for the provision of any necessary supervised housing and other related services and may enter into appropriate contracts for medical and mental health services and sex offender treatment. The term of a contract under this subsection may not exceed 10 years. The contract may provide for an unlimited number of renewals each for an additional term not to exceed 10 years. This subsection prevails to the extent of a conflict between this subsection and any other law.

SECTION 32. Section 841.0835, Health and Safety Code, is amended by adding Subsection (d) to read as follows:



(d) The committing court shall order the payment of reasonable compensation to persons performing a duty or providing a service under this section. The compensation paid shall be assessed as court costs. The Health and Human Services Commission shall pay all court costs associated with this subsection.

SECTION 33. Section 841.084, Health and Safety Code, is amended by adding Subsections (a-1) and (a-2) to read as follows:

(a-1) A civilly committed sex offender, whether indigent or not, is responsible for the cost of:

(1) repairs to or replacement of property belonging to this state, a contractor of this state or the agent of the contractor, the civil commitment facility, or another civilly committed sex offender, if the offender intentionally, knowingly, recklessly, or negligently caused damage to or the loss of the property; and

(2) any expenses for medical care provided to the civilly committed sex offender or any other person, if the offender intentionally, knowingly, recklessly, or negligently acted in a manner that caused the injury for which medical care was provided.

(a-2) A civilly committed sex offender shall pay to the office, at the office's direction, any amount for which the offender is responsible under Subsection (a-1), as determined by the office.

SECTION 34. Section 841.147, Health and Safety Code, is amended to read as follows:

Sec. 841.147. IMMUNITY. (a) The following persons are immune from liability for good faith conduct under this chapter:

(1) an employee or officer of the Texas Department of Criminal Justice or the office;

(2) a member of the multidisciplinary team established under Section 841.022;

(3) the applicable attorney representing the state and an employee of the attorney; and

(4) a person providing, or contracting, appointed, or volunteering to perform, a ~~[tracking service or another]~~ service under this chapter, at the request of the office.

(b) A court shall immediately dismiss any action asserting a claim against a person described by Subsection (a) that arose from the person's good faith conduct.

(c) This section does not affect a defense, immunity, or jurisdictional bar available to a person described by Subsection (a).

SECTION 35. Subchapter H, Chapter 841, Health and Safety Code, is amended by adding Sections 841.148 and 841.149 to read as follows:

Sec. 841.148. ATTORNEY GENERAL REPRESENTATION. The office may request, on behalf of any person described by Section 841.147(a)(4), the assistance of the attorney general on any legal matter associated with a service performed under this chapter at the request of the office. The office or the person is not responsible for and may not pay any costs associated with the assistance.

Sec. 841.149. RECOVERY OF COURT COSTS AND ATTORNEY'S FEES.

(a) In an action against a person described by Section 841.147(a)(4), the person is entitled to recover court costs and attorney's fees incurred in the action from the claimant if the person is found immune under that section.

(b) A person may recover court costs and attorney's fees under Subsection (a) regardless of whether the person requests the assistance of the attorney general under Section 841.148.

SECTION 36. Sections 14A.001(1) and 14A.054(f), Civil Practice and Remedies Code, as added by Chapter 203 (S.B. 1180), Acts of the 88th Legislature, Regular Session, 2023, are repealed.

SECTION 37. The changes in law made by this Act in amending Sections 12.42, 21.08, 22.01, 22.012, 22.02, 22.11, 36.06, and 38.11, Penal Code, and in amending Article 42.08, Code of Criminal Procedure, apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the

14-1 date the offense was committed, and the former law is continued in  
14-2 effect for that purpose. For purposes of this section, an offense  
14-3 was committed before the effective date of this Act if any element  
14-4 of the offense was committed before that date.

14-5 SECTION 38. The changes in law made by this Act to Articles  
14-6 14.03, 14.06, and 15.17, Code of Criminal Procedure, and to Chapter  
14-7 17, Code of Criminal Procedure, apply only to a person who is  
14-8 arrested on or after the effective date of this Act. A person  
14-9 arrested before the effective date of this Act is governed by the  
14-10 law in effect on the date the person was arrested, and the former  
14-11 law is continued in effect for that purpose.

14-12 SECTION 39. The changes in law made by this Act to Chapter  
14-13 62, Code of Criminal Procedure, apply to any person who, on or after  
14-14 the effective date of this Act, is required to register under that  
14-15 chapter, regardless of whether the offense or conduct for which the  
14-16 person is required to register occurs before, on, or after the  
14-17 effective date of this Act.

14-18 SECTION 40. As soon as practicable after the effective date  
14-19 of this Act, the Department of Public Safety of the State of Texas  
14-20 shall input information in the computerized criminal history system  
14-21 as required by Article 66.102(j), Code of Criminal Procedure, as  
14-22 added by this Act, for any person who was civilly committed under  
14-23 Chapter 841, Health and Safety Code, before the effective date of  
14-24 this Act.

14-25 SECTION 41. (a) Except as otherwise provided by this  
14-26 section, the changes in law made by this Act to Chapter 841, Health  
14-27 and Safety Code, apply to a civil commitment proceeding under that  
14-28 chapter that is initiated on or after the effective date of this  
14-29 Act, regardless of when the applicable petition for civil  
14-30 commitment was filed.

14-31 (b) Section 841.147, Health and Safety Code, as amended by  
14-32 this Act, and Sections 841.148 and 841.149, Health and Safety Code,  
14-33 as added by this Act, apply only to an action filed on or after the  
14-34 effective date of this Act. An action filed before the effective  
14-35 date of this Act is governed by the law in effect immediately before  
14-36 the effective date of this Act, and that law is continued in effect  
14-37 for that purpose.

14-38 SECTION 42. To the extent of any conflict, this Act prevails  
14-39 over another Act of the 89th Legislature, Regular Session, 2025,  
14-40 relating to nonsubstantive additions to and corrections in enacted  
14-41 codes.

14-42 SECTION 43. This Act takes effect September 1, 2025.

14-43 \* \* \* \* \*