



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Anzollitto
- ☐ 2 = Woolard
- ☐ 3 = Boyd
- ☐ 4 = Cisneros
- ☐ 5 = Colvin
- ☐ X All

AGENDA DATE	<i>AUGUST 8, 2017</i>
DESCRIPTION	CONSIDER ON SECOND READING ORDINANCE NO. 2017-71; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS, AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES, ARTICLE VI. SEXUAL OFFENDERS, SEC. 15-121. DEFINITIONS; SEC. 15-122. SEXUAL OFFENDERS RESIDENCE PROHIBITION; SEC. 15-123. PROPERTY OWNERS PROHIBITED FROM RENTING TO SEXUAL OFFENDERS; SEC. 15-124. SEXUAL OFFENDERS PROHIBITED FROM ENTERING CHILD AREAS; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$2000.00 FOR EACH VIOLATION OF THIS ORDINANCE.
STAFF'S RECOMMENDED ACTION (be specific)	Approve On Second Reading Ordinance No. 2017-71; An Ordinance Of The City Of Boerne, Texas, Amending Chapter 15 Of The Code Of Ordinances, Article Vi. Sexual Offenders, Sec. 15-121. Definitions; Sec. 15-122. Sexual Offenders Residence Prohibition; Sec. 15-123. Property Owners Prohibited From Renting To Sexual Offenders; Sec. 15-124. Sexual Offenders Prohibited From Entering Child Areas; And Providing For A Penalty Not To Exceed \$2000.00 For Each Violation Of This Ordinance.
CONTACT PERSON	KIRSTEN COHOON
SUMMARY	<p>Sex Offender residency and location restrictions.</p> <p>A new law was enacted this past legislative session. SB 1111 requires that sex offenders be able to enter child safe areas if needed to for the following:</p> <ul style="list-style-type: none"> (1) the person was the parent or legal guardian of a child 18 years of age or younger who resides with the person and the child was on the premises of the Child Area; (2) to go to the Releasee's parole office; (3) premises at which the Releasee is participating in a program or activity required as a condition of release; (4) a residential facility in which the Releasee is required to reside as a condition of release; (5) a private residence in which the Releasee is required to reside as a condition of release; or (6) any other premises, facility, or location that is: <ul style="list-style-type: none"> (A) designed to rehabilitate or reform the Releasee; or (B) authorized by the Division as a premises, facility, or location where it is reasonable and necessary for the Releasee to be present and at which the Releasee has legitimate business, including a church, synagogue, or other established place of religious worship, a workplace, a health care facility, or a location of a funeral.

	<p>Additionally, we added the term, “Releasee” meaning a person who has a “reportable conviction or adjudication” for a “sexually violent offense,” as those terms are defined by Section 62.001 (5) and (6) of the Texas Code of Criminal Procedure, involving a victim 17 years of age or younger at the time the offense and who is currently released on parole or to mandatory supervision for such sexually violent offense. This definition coincides with the new law as well.</p> <p>Chief Kohler and Assistant Chief Page have both reviewed the changes and have no objections.</p>
COST	N/A
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	Ordinance

This summary is not meant to be all inclusive. Supporting documentation is attached.