

# Legislative Analysis

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## LIFETIME ELECTRONIC MONITORING

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### House Bills 5531-5533

Sponsor: Rep. David Law

Committee: Judiciary

Complete to 3-13-06

## A SUMMARY OF HOUSE BILLS 5531-5533 AS INTRODUCED 12-29-05

House Bill 5531 would require that a person who is found guilty of criminal sexual conduct in the first degree or in the second degree against a person under 13 years of age be sentenced to lifetime electronic monitoring.

The bill would also make it a felony for a person sentenced to lifetime electronic monitoring to 1) intentionally remove, deface, alter, destroy, or fail to maintain the electronic monitoring device in working order; 2) fail to notify the Department of Corrections that the device is damaged; or 3) fail to reimburse the department (or its agent) for the cost of monitoring. The felony would be punishable by imprisonment for not more than two years and/or a fine of not more than \$2,000.

House Bill 5532 would amend the Corrections Code to establish the Lifetime Electronic Monitoring Program in the Department of Corrections. The program would implement a system of monitoring individuals released from parole, prison, or both parole and prison, who are sentenced to lifetime electronic monitoring. The program would have to 1) by electronic means track the movement and location of each individual from the time the individual is released on parole or from prison until the time of the individual's death; and 2) develop methods that allow the individual's movement and location to be determined, both in real time and recorded, and that allow recorded information to be retrieved on request by a court of law or a law enforcement agency.

House Bill 5533 would amend sentencing guidelines provisions of the Code of Criminal Procedure to describe electronic monitoring violations as a Class G felony against public safety with a maximum term of imprisonment of two years.

House Bills 5532 and 5533 are tie-barred to House Bill 5531, meaning they could not take effect unless House Bill 5531 was also enacted.

## FISCAL IMPACT:

A fiscal analysis is in process.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.