

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

December 2015

Texas Code of Criminal Procedure Chapter 62, Subchapter I. Early Termination of Certain Persons' Obligation to Register.

Art. 62.402. Determination of Minimum Required Registration Period

- (a) The department by rule shall determine the minimum required registration period under federal law for each reportable conviction or adjudication under this chapter.
- (b) After determining the minimum required registration period for each reportable conviction or adjudication under Subsection (a), the department shall compile and publish a list of reportable convictions or adjudications for which a person must register under this chapter for a period that exceeds the minimum required registration period under federal law.
- (c) To the extent possible, the department shall periodically verify with the United States Department of Justice's Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking or another appropriate federal agency or office the accuracy of the list of reportable convictions or adjudications described by Subsection (b).

Registrants who were 17 years of age or older at the time the offense resulting in a reportable conviction or adjudication was committed

Reportable convictions or adjudications where the registration period under Texas law <i>exceeds</i> the minimum registration period under federal law				
Texas Offense			Length of Duty to Register as a Sex Offender	
			Texas	Federal
§ 20.02	Unlawful restraint with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age & the offender is the parent or guardian of the victim		10 years post discharge	No Duty to Register
§ 20.03	Kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age & the offender is the parent or guardian of the victim		10 years post discharge	No Duty to Register
§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age & the offender is the parent or guardian of the victim		10 years post discharge	No Duty to Register
§ 20A.02(a)(3)	Trafficking of persons		Lifetime	15 years, Tier I
§ 20A.02(a)(4)	Trafficking of persons		Lifetime	15 years, Tier I
§ 20A.02(a)(7)	Trafficking of persons		Lifetime	25 years, Tier II
§ 20A.02(a)(8)	Trafficking of persons		Lifetime	25 years, Tier II
§ 21.02 ¹	Continuous sexual abuse of young child or children		Lifetime	25 years, Tier II
§ 21.02 ²	Continuous sexual abuse of young child or children		Lifetime	No duty to Register

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§ 21.08	Indecent exposure—second violation, but not if the second violation results in deferred adjudication	10 years post discharge	No Duty to Register
§ 21.11(a)(1)	Indecency with a child by contact & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	Lifetime	No Duty to Register
§ 21.11(a)(1)	Indecency with a child by contact where the victim has attained the age of 16 years but not the age of 17 years and (i) the touching did not involve the victim’s genitals; (ii) the touching involved the victim’s genitals but was done through the clothing; or (iii) the touching was not done (a) by force, (b) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (c) by rendering the victim unconscious, (d) by administering a drug, intoxicant or other similar substance to the victim, (e) by threatening or placing the victim in fear, (f) with a victim that is incapable of appraising the nature of the conduct, and (e) with a victim that is incapable of declining participation or communicating unwillingness to participate	Lifetime	15 years, Tier I
§ 21.11(a)(1)	Indecency with a child by contact where the victim has attained the age of 13 years but not the age of 16 years and (i) the touching did not involve the victim’s genitals; (ii) the touching involved the victim’s genitals but was done through the clothing; or (iii) the touching was <i>not</i> done (a) by force, (b) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (c) by rendering the victim unconscious, (d) by administering a drug, intoxicant or other similar substance to the victim, (e) by threatening or placing the victim in fear, (f) with a victim that is incapable of appraising the nature of the conduct, and (e) with a victim that is incapable of declining participation or communicating unwillingness to participate	Lifetime	25 years, Tier II
§ 21.11(a)(2)	Indecency with a child by exposure & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	10 years post discharge	No Duty to Register
§ 22.011	Sexual assault, offense is solely based on the victim’s age & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	Lifetime	No duty to Register
§ 22.011	Sexual assault, offense is solely based on the victim’s age & the victim is 16 years of age or older	Lifetime	25 years, Tier II

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§ 22.011	Sexual assault where the victim has attained the age of 13 years but not the age of 16 years and (i) the touching did not involve the victim's genitals; (ii) the touching involved the victim's genitals but was done through the clothing; or (iii) the touching was not done (a) by force, (b) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (c) by rendering the victim unconscious, (d) by administering a drug, intoxicant or other similar substance to the victim, (e) by threatening or placing the victim in fear, (f) with a victim that is incapable of appraising the nature of the conduct, and (g) with a victim that is incapable of declining participation or communicating unwillingness to participate	Lifetime	25 years, Tier II
§ 22.021	Aggravated sexual assault, offense is solely based on the victim's age & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	Lifetime	No Duty to Register
§ 22.021	Aggravated sexual assault where the victim has attained the age of 13 years but not the age of 16 years and (i) the touching did not involve the victim's genitals; (ii) the touching involved the victim's genitals but was done through the clothing; or (iii) the touching was not done (a) by force, (b) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (c) by rendering the victim unconscious, (d) by administering a drug, intoxicant or other similar substance to the victim, (e) by threatening or placing the victim in fear, (f) with a victim that is incapable of appraising the nature of the conduct, and (g) with a victim that is incapable of declining participation or communicating unwillingness to	Lifetime	25 years, Tier II
§ 25.02	Prohibited sexual conduct	Lifetime	15 years, Tier I
§ 25.02	Prohibited sexual conduct & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	Lifetime	No duty to Register
§ 25.02	Prohibited sexual conduct & the victim is 16 years of age or older but less than 18 years of age	Lifetime	25 years, Tier II
§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(2)	Lifetime	15 years, Tier I
§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(1) & the victim is at least 13 years of age	Lifetime	25 years, Tier II
§ 30.02(d) ¹	Burglary of a habitation committed or engaged in with the intent to commit 21.02	Lifetime	25 years, Tier II
§ 43.05(a)(2)	Compelling prostitution of a person younger than 18 years of age	Lifetime	25 years, Tier II
§ 43.23(h)	Obscenity	Lifetime	25 years, Tier II
§ 43.25	Sexual performance by a child	Lifetime	25 years, Tier II
§ 43.25	Sexual performance by a child & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	Lifetime	No Duty to Register

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An attempt, conspiracy, solicitation, or solicitation of a minor to commit:	§ 43.26(a)	Possessing or promoting child pornography	Lifetime	15 years, Tier I
	§ 43.26(e)	Possessing or promoting child pornography	Lifetime	25 years, Tier II
	§ 20.02	Unlawful restraint with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age & the offender is the parent or guardian of the victim	10 years post discharge	No Duty to Register
	§ 20.03	Kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age & the offender is the parent or guardian of the victim	10 years post discharge	No Duty to Register
	§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age & the offender is the parent or guardian of the victim	10 years post discharge	No Duty to Register
	§ 21.02 ²	Continuous sexual abuse of young child or children	10 years post discharge	No Duty to Register
	§ 21.11(a)(1)	Indecency with a child by contact & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	10 years post discharge	No Duty to Register
	§ 21.11(a)(1)	Indecency with a child by contact where the victim has attained the age of 16 years but not the age of 17 years and (i) the touching did not involve the victim’s genitals; (ii) the touching involved the victim’s genitals but was done through the clothing; or (iii) the touching was not done (a) by force, (b) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (c) by rendering the victim unconscious, (d) by administering a drug, intoxicant or other similar substance to the victim, (e) by threatening or placing the victim in fear, (f) with a victim that is incapable of appraising the nature of the conduct, and (e) with a victim that is incapable of declining participation or communicating unwillingness to participate	10 years post discharge	No Duty to Register
	§ 21.11(a)(2)	Indecency with a child by exposure & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	10 years post discharge	No Duty to Register
	§ 22.011	Sexual assault, offense is solely based on the victim’s age & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	10 years post discharge	No Duty to Register
	§ 22.021	Aggravated sexual assault, offense is solely based on the victim’s age & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	10 years post discharge	No Duty to Register
	§ 25.02	Prohibited sexual conduct & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	10 years post discharge	No duty to Register
§ 43.25	Sexual performance by a child & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	10 years post discharge	No duty to Register	

1 All acts of “sexual abuse,” defined in Texas Penal Code § 21.02(c), are: indecency with a child by contact with a child at least 13 years of age and committed in a manner other than by touching, including touching through the clothing, the breast of a child (§ 21.11(a)(1)) burglary of a habitation committed with the intent to commit the previous listed offense (§ 30.02(d)); sexual performance by child (§ 43.25); or compelling prostitution of a minor (§ 43.05(a)(2))

2 All acts of “sexual abuse,” defined in Texas Penal Code § 21.02(c), are: indecency with a child by contact with a child at least 13 years of age and committed with consensual conduct as defined by 42 U.S.C § 16911(5)(c)

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Registrants who were 17 years of age or older at the time the offense resulting in a reportable conviction or adjudication was committed (cont.)

Reportable convictions or adjudications where the registration period under Texas law <i>does not</i> exceed the minimum registration period under federal law				
Texas Offense			Length of Duty to Register as a Sex Offender	
			Texas	Federal
§ 20.02	Unlawful restraint with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	15 years, Tier I
§ 20.03	Kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	Lifetime, Tier III
§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	Lifetime, Tier III
§ 20.04(a)(4)	Aggravated kidnapping committed or engaged in with the intent to violate or abuse the victim sexually		Lifetime	Lifetime, Tier III
§ 21.02 ¹	Continuous sexual abuse of young child or children		Lifetime	Lifetime, Tier III
§ 21.11(a)(1)	Indecency with a child by contact where the victim has attained the age of 13 years but not the age of 16 years; the touching was not done through the victim's clothing and involved the victim's genitals; and the touching was done (i) by force, (ii) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (iii) by rendering the victim unconscious, (iv) by administering a drug, intoxicant or other similar substance to the victim, (v) by threatening or placing the victim in fear, (vi) with a victim that is incapable of appraising the nature of the conduct, or (vii) with a victim that is incapable of declining participation or communicating unwillingness to participate		Lifetime	Lifetime, Tier II
§ 21.11(a)(1)	Indecency with a child by contact & the victim is younger than 13 years of age		Lifetime	Lifetime, Tier III
§ 21.11(a)(2)	Indecency with a child by exposure		10 years post discharge	15 years, Tier I
§ 22.011	Sexual assault		Lifetime	Lifetime, Tier III
§ 22.011	Sexual assault, offense is solely based on the victim's age & the victim is less than 16 years of age		Lifetime	Lifetime, Tier III
§ 22.021	Aggravated sexual assault		Lifetime	Lifetime, Tier III
§ 22.021	Aggravated sexual assault, offense is solely based on the victim's age		Lifetime	Lifetime, Tier III
§ 25.02	Prohibited sexual conduct & the victim is less than 16 years of age		Lifetime	Lifetime, Tier III

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	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 20.04(a)(4), 22.011, 22.021 or 25.02	Lifetime	Lifetime, Tier III
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(1) & the victim is younger than 13 years of age	Lifetime	Lifetime, Tier III
	§ 30.02(d) ¹	Burglary of a habitation committed or engaged in with the intent to commit 21.02	Lifetime	Lifetime, Tier III
	§ 33.021(b)	Online solicitation of a minor	10 years post discharge	15 years, Tier I
	§ 33.021(c)	Online solicitation of a minor	10 years post discharge	25 years, Tier II
	§ 43.05(a)(1)	Compelling prostitution	10 years post discharge	15 years, Tier I
An attempt, conspiracy, solicitation, or solicitation of a minor to commit:	§ 20.02	Unlawful restraint with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	15 years, Tier I
	§ 20.03	Kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	Lifetime, Tier III
	§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	Lifetime, Tier III
	§ 20.04(a)(4)	Aggravated kidnapping committed or engaged in with the intent to violate or abuse the victim sexually	10 years post discharge	Lifetime, Tier III
	§ 20A.02(a)(3)	Trafficking of persons	10 years post discharge	15 years, Tier I
	§ 20A.02(a)(4)	Trafficking of persons	10 years post discharge	15 years, Tier I
	§ 20A.02(a)(7)	Trafficking of persons	10 years post discharge	25 years, Tier II
	§ 20A.02(a)(8)	Trafficking of persons	10 years post discharge	25 years, Tier II
	§ 21.02 ¹	Continuous sexual abuse of young child or children	10 years post discharge	Lifetime, Tier III
	§ 21.02 ²	Continuous sexual abuse of young child or children	10 years post discharge	25 years, Tier II
	§ 21.11(a)(1)	Indecency with a child by contact where the victim has attained the age of 13 years but not the age of 16 years and (i) the touching did not involve the victim's genitals; (ii) the touching involved the victim's genitals but was done through the clothing; or (iii) the touching was <i>not</i> done (a) by force, (b) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (c) by rendering the victim unconscious, (d) by administering a drug, intoxicant or other similar substance to the victim, (e) by threatening or placing the victim in fear, (f) with a victim that is incapable of appraising the nature of the conduct, and (e) with a victim that is incapable of declining participation or communicating unwillingness to	10 years post discharge	25 years, Tier II

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An attempt, conspiracy, solicitation, or solicitation of a minor to commit:	§ 21.11(a)(1)	Indecency with a child by contact where the victim has attained the age of 13 years but not the age of 16 years; the touching was not done through the victim's clothing and involved the victim's genitals; and the touching was done (i) by force, (ii) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (iii) by rendering the victim unconscious, (iv) by administering a drug, intoxicant or other similar substance to the victim, (v) by threatening or placing the victim in fear, (vi) with a victim that is incapable of appraising the nature of the conduct, or (vii) with a victim that is incapable of declining participation or communicating unwillingness to participate	10 years post discharge	Lifetime, Tier III
	§ 21.11(a)(1)	Indecency with a child by contact & the victim is younger than 13 years of age	10 years post discharge	Lifetime, Tier III
	§ 21.11(a)(2)	Indecency with a child by exposure	10 years post discharge	15 years, Tier I
	§ 22.011	Sexual assault	10 years post discharge	Lifetime, Tier III
	§ 22.011	Sexual assault, offense is solely based on the victim's age & the victim is less than 16 years of age	10 years post discharge	Lifetime, Tier III
	§ 20A.02(a)(8)	Sexual assault, offense is solely based on the victim's age & the victim is 16 years of age or older	10 years post discharge	25 years, Tier II
	§ 22.021	Aggravated sexual assault	10 years post discharge	Lifetime, Tier III
	§ 22.021	Aggravated sexual assault, offense is solely based on the victim's age	10 years post discharge	Lifetime, Tier III
	§ 25.02	Prohibited sexual conduct	10 years post discharge	15 years, Tier I
	§ 25.02	Prohibited sexual conduct & the victim is less than 16 years of age	10 years post discharge	Lifetime, Tier III
	§ 25.02	Prohibited sexual conduct & the victim is 16 years of age or older but less than 18 years of age	10 years post discharge	25 years, Tier II
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 20.04(a)(4), 22.011, 22.021 or 25.02	10 years post discharge	Lifetime, Tier III
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(2)	10 years post discharge	15 years, Tier I
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(1) & the victim is younger than 13 years of age	10 years post discharge	Lifetime, Tier III
§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(1) & the victim is at least 13 years of age	10 years post discharge	25 years, Tier II	
§ 30.02(d) ¹	Burglary of a habitation committed or engaged in with the intent to commit 21.02	10 years post discharge	Lifetime, Tier III	

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An attempt, conspiracy, solicitation, or solicitation of a minor to commit	§ 30.02(d) ²	Burglary of a habitation committed or engaged in with the intent to commit 21.02	10 years post discharge	25 years, Tier II
	§ 43.05(a)(1)	Compelling prostitution	10 years post discharge	15 years, Tier I
	§ 43.05(a)(2)	Compelling prostitution of a person younger than 18 years of age	10 years post discharge	25 years, Tier II
	§ 43.25	Sexual performance by a child	10 years post discharge	25 years, Tier II
	§ 43.26(a)	Possessing or promoting child pornography	10 years post discharge	15 years, Tier I
	§ 43.26(e)	Possessing or promoting child pornography	10 years post discharge	25 years, Tier II

1 One act of “sexual abuse,” defined in Texas Penal Code § 21.02(c), is: aggravated kidnapping committed or engaged in with the intent to violate or abuse the victim sexually (§ 20.04(a)(4)); indecency with a child by contact with a child less than 13 years of age and committed in a manner other than by touching, including touching through the clothing, the breast of a child (§ 21.11(a)(1)); sexual assault (§ 22.011); aggravated sexual assault (§ 22.021); burglary of a habitation committed with the intent to commit one of the previous listed offenses (§ 30.02(d)); or trafficking of persons (§ 20A.02(a)(7) or (8))

2 All acts of “sexual abuse,” defined in Texas Penal Code § 21.02(c), are: indecency with a child by contact with a child at least 13 years of age and committed in a manner other than by touching, including touching through the clothing, the breast of a child (§21.11(a)(1)); burglary of a habitation committed with the intent to commit the previous listed offense (§ 30.02(d)); sexual performance by child (§ 43.25); or compelling prostitution of a minor (§ 43.05(a)(2))

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

Registrants who were younger than 17 years of age at the time the offense resulting in a reportable conviction or adjudication was committed and the reportable conviction or adjudication is based on a conviction or deferred adjudication

Reportable convictions or adjudications where the registration period under Texas law <i>exceeds</i> the minimum registration period under federal law				
Texas Offense			Length of Duty to Register as a Sex Offender	
			Texas	SORNA
§ 20.02	Unlawful restraint with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age & the offender is the parent or guardian of the victim		10 years post discharge	No Duty to Register
§ 20.03	Kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age & the offender is the parent or guardian of the victim		10 years post discharge	No Duty to Register
§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age & the offender is the parent or guardian of the victim		10 years post discharge	No Duty to Register
§ 21.08	Indecent exposure—second violation, but not if the second violation results in deferred adjudication		10 years post discharge	No Duty to Register
§ 21.11(a)(1)	Indecency with a child by contact & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)		10 years post discharge	No Duty to Register
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§ 21.11(a)(2)	Indecency with a child by exposure & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)		10 years post discharge	No Duty to Register
§ 22.011	Sexual assault, offense is solely based on the victim’s age & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)		10 years post discharge	No duty to Register
§ 22.021	Aggravated sexual assault, offense is solely based on the victim’s age & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)		10 years post discharge	No Duty to Register

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	§ 25.02	Prohibited sexual conduct & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	10 years post discharge	No Duty to Register
	§ 43.25	Sexual performance by a child & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	10 years post discharge	No Duty to Register
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	§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age & the offender is the parent or guardian of the victim	10 years post discharge	No Duty to Register
	§ 21.11(a)(1)	Indecency with a child by contact & involved consensual conducted as defined by 42 U.S.C. § 16911(5)(C)	10 years post discharge	No Duty to Register
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Registrants who were younger than 17 years of age at the time the offense resulting in a reportable conviction or adjudication was committed and the reportable conviction or adjudication is based on a conviction or deferred adjudication (cont.)

Reportable convictions or adjudications where the registration period under Texas law <i>does not</i> exceed the minimum registration period under federal law				
Texas Offense			Length of Duty to Register as a Sex Offender	
			Texas	SORNA
§ 20.02	Unlawful restraint with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	15 years, Tier I
§ 20.03	Kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	Lifetime, Tier III
§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	Lifetime, Tier III
§ 20.04(a)(4)	Aggravated kidnapping committed or engaged in with the intent to violate or abuse the victim sexually		10 years post discharge	Lifetime, Tier III
§ 20A.02(a)(3)	Trafficking of persons		10 years post discharge	15 years, Tier I
§ 20A.02(a)(4)	Trafficking of persons		10 years post discharge	15 years, Tier I
§ 20A.02(a)(7)	Trafficking of persons		10 years post discharge	25 years, Tier II
§ 20A.02(a)(8)	Trafficking of persons		10 years post discharge	25 years, Tier II
§ 21.11(a)(1)	Indecency with a child by contact where the victim has attained the age of 13 years but not the age of 16 years and (i) the touching did not involve the victim's genitals; (ii) the touching involved the victim's genitals but was done through the clothing; or (iii) the touching was <i>not</i> done (a) by force, (b) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (c) by rendering the victim unconscious, (d) by administering a drug, intoxicant or other similar substance to the victim, (e) by threatening or placing the victim in fear, (f) with a victim that is incapable of appraising the nature of the conduct, and (e) with a victim that is incapable of declining participation or communicating unwillingness to		10 years post discharge	25 years, Tier II

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

§ 21.11(a)(1)	Indecency with a child by contact where the victim has attained the age of 13 years but not the age of 16 years; the touching was not done through the victim's clothing and involved the victim's genitals; and the touching was done (i) by force, (ii) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (iii) by rendering the victim unconscious, (iv) by administering a drug, intoxicant or other similar substance to the victim, (v) by threatening or placing the victim in fear, (vi) with a victim that is incapable of appraising the nature of the conduct, or (vii) with a victim that is incapable of declining	10 years post discharge	Lifetime, Tier III
§ 21.11(a)(1)	Indecency with a child by contact & the victim is younger than 13 years of age	10 years post discharge	Lifetime, Tier III
§ 21.11(a)(2)	Indecency with a child by exposure	10 years post discharge	15 years, Tier I
§ 22.011	Sexual assault	10 years post discharge	Lifetime, Tier III
§ 22.011	Sexual assault, offense is solely based on the victim's age & the victim is less than 16 years of age	10 years post discharge	Lifetime, Tier III
§ 22.011	Sexual assault, offense is solely based on the victim's age & the victim is 16 years of age or older	10 years post discharge	25 years, Tier II
§ 22.021	Aggravated sexual assault, offense is solely based on the victim's age	10 years post discharge	Lifetime, Tier III
§ 22.021	Aggravated sexual assault	10 years post discharge	Lifetime, Tier III
§ 25.02	Prohibited sexual conduct	10 years post discharge	15 years, Tier I
§ 25.02	Prohibited sexual conduct & the victim is less than 16 years of age	10 years post discharge	Lifetime, Tier III
§ 25.02	Prohibited sexual conduct & the victim is 16 years of age or older but less than 18 years of age	10 years post discharge	25 years, Tier II
§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 20.04(a)(4), 22.011, 22.021 or 25.02	10 years post discharge	Lifetime, Tier III
§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(2)	10 years post discharge	15 years, Tier I
§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(1) & the victim is younger than 13 years of age	10 years post discharge	Lifetime, Tier III
§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(1) & the victim is at least 13 years of age	10 years post discharge	25 years, Tier II
§ 33.021(c)	Online solicitation of a minor	10 years post discharge	25 years, Tier II
§ 43.05(a)(1)	Compelling prostitution	10 years post discharge	15 years, Tier I
§ 43.05(a)(2)	Compelling prostitution of a person younger than 18 years of age	10 years post discharge	25 years, Tier II
§ 43.23(h)	Obscenity	10 years post discharge	25 years, Tier II
§ 43.25	Sexual performance by a child	10 years post discharge	25 years, Tier II
§ 43.26(a)	Possessing or promoting child pornography	10 years post discharge	15 years, Tier I

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

An attempt, conspiracy, solicitation, or solicitation of a minor to commit:	§ 43.26(e)	Possessing or promoting child pornography	10 years post discharge	25 years, Tier II
	§ 20.02	Unlawful restraint with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	15 years, Tier I
	§ 20.03	Kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	Lifetime, Tier III
	§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	Lifetime, Tier III
	§ 20.04(a)(4)	Aggravated kidnapping committed or engaged in with the intent to violate or abuse the victim sexually	10 years post discharge	Lifetime, Tier III
	§ 20A.02(a)(3)	Trafficking of persons	10 years post discharge	15 years, Tier I
	§ 20A.02(a)(4)	Trafficking of persons	10 years post discharge	15 years, Tier I
	§ 20A.02(a)(7)	Trafficking of persons	10 years post discharge	25 years, Tier II
	§ 20A.02(a)(8)	Trafficking of persons	10 years post discharge	25 years, Tier II
	§ 21.11(a)(1)	Indecency with a child by contact where the victim has attained the age of 13 years but not the age of 16 years and (i) the touching did not involve the victim's genitals; (ii) the touching involved the victim's genitals but was done through the clothing; or (iii) the touching was <i>not</i> done (a) by force, (b) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (c) by rendering the victim unconscious, (d) by administering a drug, intoxicant or other similar substance to the victim, (e) by threatening or placing the victim in fear, (f) with a victim that is incapable of appraising the nature of the conduct, and (e) with a victim that is incapable of declining participation or communicating unwillingness to	10 years post discharge	25 years, Tier II

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

An attempt, conspiracy, solicitation, or solicitation of a minor to commit:	§ 21.11(a)(1)	Indecency with a child by contact where the victim has attained the age of 13 years but not the age of 16 years; the touching was not done through the victim's clothing and involved the victim's genitals; and the touching was done (i) by force, (ii) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (iii) by rendering the victim unconscious, (iv) by administering a drug, intoxicant or other similar substance to the victim, (v) by threatening or placing the victim in fear, (vi) with a victim that is incapable of appraising the nature of the conduct, or (vii) with a victim that is incapable of declining participation or communicating unwillingness to participate	10 years post discharge	Lifetime, Tier III
	§ 21.11(a)(1)	Indecency with a child by contact & the victim is younger than 13 years of age	10 years post discharge	Lifetime, Tier III
	§ 21.11(a)(2)	Indecency with a child by exposure	10 years post discharge	15 years, Tier I
	§ 22.011	Sexual assault	10 years post discharge	Lifetime, Tier III
	§ 22.011	Sexual assault, offense is solely based on the victim's age & the victim is less than 16 years of age	10 years post discharge	Lifetime, Tier III
	§ 22.011	Sexual assault, offense is solely based on the victim's age & the victim is 16 years of age or older	10 years post discharge	25 years, Tier II
	§ 22.021	Aggravated sexual assault	10 years post discharge	Lifetime, Tier III
	§ 22.021	Aggravated sexual assault, offense is solely based on the victim's age	10 years post discharge	Lifetime, Tier III
	§ 25.02	Prohibited sexual conduct	10 years post discharge	15 years, Tier I
	§ 25.02	Prohibited sexual conduct & the victim is less than 16 years of age	10 years post discharge	Lifetime, Tier III
	§ 25.02	Prohibited sexual conduct & the victim is 16 years of age or older but less than 18 years of age	10 years post discharge	25 years, Tier II
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 20.04(a)(4), 22.011, 22.021 or 25.02	10 years post discharge	Lifetime, Tier III
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(2)	10 years post discharge	15 years, Tier I
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(1) & the victim is younger than 13 years of age	10 years post discharge	Lifetime, Tier III
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11(a)(1) & the victim is at least 13 years of age	10 years post discharge	25 years, Tier II
	§ 43.05(a)(1)	Compelling prostitution	10 years post discharge	15 years, Tier I
	§ 43.05(a)(2)	Compelling prostitution of a person younger than 18 years of age	10 years post discharge	25 years, Tier II
	§ 43.25	Sexual performance by a child	10 years post discharge	25 years, Tier II
§ 43.26(a)	Possessing or promoting child pornography	10 years post discharge	15 years, Tier I	
§ 43.26(e)	Possessing or promoting child pornography	10 years post discharge	25 years, Tier II	

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

Registrants who were 14 years of age or older at the time the offense resulting in a reportable conviction or adjudication was committed and the reportable conviction or adjudication is based on an adjudication of delinquent conduct

Reportable convictions or adjudications where the registration period under Texas law exceeds the minimum registration period under federal law				
Texas Offense			Length of Duty to Register as a Sex Offender	
			Texas	SORNA
§ 20.02	Unlawful restraint with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	No Duty to Register
§ 20.03	Kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	No Duty to Register
§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	No Duty to Register
§ 20A.02(a)(3)	Trafficking of persons		10 years post discharge	No Duty to Register
§ 20A.02(a)(4)	Trafficking of persons		10 years post discharge	No Duty to Register
§ 20A.02(a)(7)	Trafficking of persons		10 years post discharge	No Duty to Register
§ 20A.02(a)(8)	Trafficking of persons		10 years post discharge	No Duty to Register
§ 21.08	Indecent exposure—second violation, but not if the second violation results in deferred adjudication		10 years post discharge	No Duty to Register
§ 21.11(a)(1)	Indecency with a child by contact & the victim is at least 16 years of age		10 years post discharge	No Duty to Register
§ 21.11(a)(1)	Indecency with a child by contact committed where the victim has not attained the age of 16 years and (i) the touching did not involve the victim’s genitals; (ii) the touching involved the victim’s genitals but was done through the clothing; or is incapable of appraising the nature of the conduct, and (e) with a victim that is incapable of declining participation or communicating unwillingness to participate (iii) the touching was <i>not</i> done (a) by force, (b) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (c) by rendering the victim unconscious, (d) by administering a drug, intoxicant or other similar substance to the victim, (e) by threatening or placing the victim in fear, (f) with a victim that is incapable of appraising the nature of the conduct, and (e) with a victim that is incapable of declining participation or communicating unwillingness to participate		10 years post discharge	No Duty to Register

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

An attempt, conspiracy, solicitation, or solicitation of a minor to commit:	§ 21.11(a)(2)	Indecency with a child by exposure	10 years post discharge	No Duty to Register
	§ 22.011	Sexual assault	10 years post discharge	No Duty to Register
	§ 22.021	Aggravated sexual assault, offense is solely based on the victim's age & the offense involved consensual conduct as defined by 42 U.S.C § 16911(5)(C)	10 years post discharge	No Duty to Register
	§ 22.021	Aggravated sexual assault, offense is solely based on the victim's age & the victim is at least 12 of age	10 years post discharge	No Duty to Register
	§ 25.02	Prohibited sexual conduct	10 years post discharge	No Duty to Register
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11	10 years post discharge	No Duty to Register
	§ 33.021(c)	Online solicitation of a minor	10 years post discharge	No Duty to Register
	§ 43.05(a)(1)	Compelling prostitution	10 years post discharge	No Duty to Register
	§ 43.05(a)(2)	Compelling prostitution of a person younger than 18 years of age	10 years post discharge	No Duty to Register
	§ 43.23(h)	Obscenity	10 years post discharge	No Duty to Register
	§ 43.25	Sexual performance by a child	10 years post discharge	No Duty to Register
	§ 43.26	Possessing or promoting child pornography	10 years post discharge	No Duty to Register
	§ 20.02	Unlawful restraint with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	No Duty to Register
	§ 20.03	Kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	No Duty to Register
	§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	No Duty to Register
	§ 20A.02(a)(3)	Trafficking of persons	10 years post discharge	No Duty to Register
	§ 20A.02(a)(4)	Trafficking of persons	10 years post discharge	No Duty to Register
	§ 20A.02(a)(7)	Trafficking of persons	10 years post discharge	No Duty to Register
§ 20A.02(a)(8)	Trafficking of persons	10 years post discharge	No Duty to Register	
§ 21.11(a)(1)	Indecency with a child by contact & the victim is at least 16 years of age	10 years post discharge	No Duty to Register	

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

An attempt, conspiracy, solicitation, or solicitation of a minor to commit:	§ 21.11(a)(1)	Indecency with a child by contact committed where the victim has not attained the age of 16 years and (i) the touching did not involve the victim's genitals; (ii) the touching involved the victim's genitals but was done through the clothing; or (iii) the touching was <i>not</i> done (a) by force, (b) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (c) by rendering the victim unconscious, (d) by administering a drug, intoxicant or other similar substance to the victim, (e) by threatening or placing the victim in fear, (f) with a victim that is incapable of appraising the nature of the conduct, and (e) with a victim that is incapable of declining participation or communicating unwillingness to participate	10 years post discharge	No Duty to Register
	§ 21.11(a)(2)	Indecency with a child by exposure	10 years post discharge	No Duty to Register
	§ 22.011	Sexual assault	10 years post discharge	No Duty to Register
	§ 22.021	Aggravated sexual assault, offense is solely based on the victim's age & the offense involved consensual conduct as defined by 42 U.S.C § 16911(5)(C)	10 years post discharge	No Duty to Register
	§ 22.021	Aggravated sexual assault, offense is solely based on the victim's age & the victim is at least 12 of age	10 years post discharge	No Duty to Register
	§ 25.02	Prohibited sexual conduct	10 years post discharge	No Duty to Register
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11	10 years post discharge	No Duty to Register
	§ 43.05(a)(1)	Compelling prostitution	10 years post discharge	No Duty to Register
	§ 43.05(a)(2)	Compelling prostitution of a person younger than 18 years of age	10 years post discharge	No Duty to Register
	§ 43.25	Sexual performance by a child	10 years post discharge	No Duty to Register
§ 43.26	Possessing or promoting child pornography	10 years post discharge	No Duty to Register	

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

Registrants who were 14 years of age or older at the time the offense resulting in a reportable conviction or adjudication was committed and the reportable conviction or adjudication is based on an adjudication of delinquent conduct (cont.)

Reportable convictions or adjudications where the registration period under Texas law *does not* exceed the minimum registration period under federal law

Texas Offense		Length of Duty to Register as a Sex Offender	
		Texas	SORNA
§ 20.04(a)(4)	Aggravated kidnapping committed or engaged in with the intent to violate or abuse the victim sexually	10 years post discharge	Lifetime, Tier III
§ 21.11(a)(1)	Indecency with a child by contact where the victim has not attained the age of 16 years; the touching was not done through the victim's clothing and involved the victim's	10 years post discharge	Lifetime, Tier III
§ 22.011 ¹	Sexual assault	10 years post discharge	Lifetime, Tier III
§ 22.021	Aggravated sexual assault	10 years post discharge	Lifetime, Tier III
§ 22.021	Aggravated sexual assault, offense is solely based on the victim's age & the victim is younger than 12 years of age	10 years post discharge	Lifetime, Tier III
§ 25.02	Prohibited sexual conduct & the victim is at least 12 of age	10 years post discharge	Lifetime, Tier III
§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 20.04(a)(4), 22.011, 22.021 or 25.02	10 years post discharge	Lifetime, Tier III

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

An attempt, conspiracy, solicitation, or solicitation of a minor to commit:	§ 20.02	Aggravated kidnapping committed or engaged in with the intent to violate or abuse the victim sexually	10 years post discharge	Lifetime, Tier III
	§ 21.11(a)(1)	Indecency with a child by contact where the victim has not attained the age of 16 years; the touching was not done through the victim's clothing and involved the victim's genitals; and the touching was done (i) by force, (ii) by threatening or placing the victim in fear that any person will be subject to death, serious bodily injury or kidnapping, (iii) by rendering the victim unconscious, (iv) by administering a drug, intoxicant or other similar substance to the victim, (v) by threatening or placing the victim in fear, (vi) with a victim that is incapable of appraising the nature of the conduct, or (vii) with a victim that is incapable of declining participation or communicating unwillingness to	10 years post discharge	Lifetime, Tier III
	§ 22.011 ¹	Sexual assault	10 years post discharge	Lifetime, Tier III
	§ 22.021	Aggravated sexual assault	10 years post discharge	Lifetime, Tier III
	§ 22.021	Aggravated sexual assault, offense is solely based on the victim's age & the victim is younger than 12 years of age	10 years post discharge	Lifetime, Tier III
	§ 25.02	Prohibited sexual conduct & the victim is at least 12 of age	10 years post discharge	Lifetime, Tier III
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 20.04(a)(4), 22.011, 22.021 or 25.02	10 years post discharge	Lifetime, Tier III

1 The adjudicated offense is comparable to or more severe than 18 U.S.C.S. § 2241, aggravated sexual abuse, or was an attempt or conspiracy to commit such an offense

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

**Registrants who were younger than 14 years of age at the time the offense
resulting in a reportable conviction or adjudication was committed and
the reportable conviction or adjudication is based on an adjudication of delinquent conduct**

Reportable convictions or adjudications where the registration period under Texas law exceeds the minimum registration period under federal law				
Texas Offense			Length of Duty to Register as a Sex Offender	
			Texas	SORNA
§ 20.02	Unlawful restraint with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	No Duty to Register
§ 20.03	Kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	No Duty to Register
§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age		10 years post discharge	No Duty to Register
§ 20.04(a)(4)	Aggravated kidnapping committed or engaged in with the intent to violate or abuse the victim sexually		10 years post discharge	No Duty to Register
§ 20A.02(a)(3)	Trafficking of persons		10 years post discharge	No Duty to Register
§ 20A.02(a)(4)	Trafficking of persons		10 years post discharge	No Duty to Register
§ 20A.02(a)(7)	Trafficking of persons		10 years post discharge	No Duty to Register
§ 20A.02(a)(8)	Trafficking of persons		10 years post discharge	No Duty to Register
§ 21.09	Indecent exposure—second violation, but not if the second violation results in deferred adjudication		10 years post discharge	No Duty to Register
§ 21.11(a)(1)	Indecency with a child by contact		10 years post discharge	No Duty to Register
§ 21.11(a)(2)	Indecency with a child by exposure		10 years post discharge	No Duty to Register
§ 22.011	Sexual assault		10 years post discharge	No Duty to Register
§ 22.021	Aggravated sexual assault		10 years post discharge	No Duty to Register
§ 25.03	Prohibited sexual conduct		10 years post discharge	No Duty to Register
§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11, 22.011, 22.021, 25.02, or 20.04(a)(4)		10 years post discharge	No Duty to Register
§ 33.021(c)	Online solicitation of a minor		10 years post discharge	No Duty to Register
§ 43.05(a)(1)	Compelling prostitution		10 years post discharge	No Duty to Register
§ 43.05(a)(2)	Compelling prostitution of a person younger than 18 years of age		10 years post discharge	No Duty to Register
§ 43.23(h)	Obscenity		10 years post discharge	No Duty to Register

Texas Offenses Tiered Under the Federal Adam Walsh Act (42 U.S.C. Section 16911 et seq.)

An attempt, conspiracy, solicitation, or solicitation of a minor to commit:	§ 43.25	Sexual performance by a child	10 years post discharge	No Duty to Register
	§ 43.26	Possessing or promoting child pornography	10 years post discharge	No Duty to Register
	§ 20.02	Unlawful restraint with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	No Duty to Register
	§ 20.03	Kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	No Duty to Register
	§ 20.04	Aggravated kidnapping with an Art. 42.015 affirmative finding that the victim was younger than 17 years of age	10 years post discharge	No Duty to Register
	§ 20.04(a)(4)	Aggravated kidnapping committed or engaged in with the intent to violate or abuse the victim sexually	10 years post discharge	No Duty to Register
	§ 20A.02(a)(3)	Trafficking of persons	10 years post discharge	No Duty to Register
	§ 20A.02(a)(4)	Trafficking of persons	10 years post discharge	No Duty to Register
	§ 20A.02(a)(7)	Trafficking of persons	10 years post discharge	No Duty to Register
	§ 20A.02(a)(8)	Trafficking of persons	10 years post discharge	No Duty to Register
	§ 21.11(a)(1)	Indecency with a child by contact	10 years post discharge	No Duty to Register
	§ 21.11(a)(2)	Indecency with a child by exposure	10 years post discharge	No Duty to Register
	§ 22.011	Sexual assault	10 years post discharge	No Duty to Register
	§ 22.021	Aggravated sexual assault	10 years post discharge	No Duty to Register
	§ 25.02	Prohibited sexual conduct	10 years post discharge	No Duty to Register
	§ 30.02(d)	Burglary of a habitation committed or engaged in with the intent to commit 21.11, 22.011, 22.021, 25.02, or 20.04(a)(4)	10 years post discharge	No Duty to Register
	§ 43.05(a)(1)	Compelling prostitution	10 years post discharge	No Duty to Register
	§ 43.05(a)(2)	Compelling prostitution of a person younger than 18 years of age	10 years post discharge	No Duty to Register
	§ 43.25	Sexual performance by a child	10 years post discharge	No Duty to Register
	§ 43.26	Possessing or promoting child pornography	10 years post discharge	No Duty to Register