

By: Thompson of Harris, Sherman, Sr.

H.B. No. 392

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the date on which certain persons placed on deferred  
3 adjudication community supervision are eligible to file a petition  
4 for an order of nondisclosure of criminal history record  
5 information.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Section 411.0725(e), Government Code, is amended  
8 to read as follows:

9 (e) A person may petition the court that placed the person  
10 on deferred adjudication community supervision for an order of  
11 nondisclosure of criminal history record information under this  
12 section only on or after:

13 (1) the discharge and dismissal, if the offense for  
14 which the person was placed on deferred adjudication was a  
15 misdemeanor other than a misdemeanor described by Subdivision  
16 (2)(A) [~~(2)~~];

17 (2) the first [~~second~~] anniversary of the discharge  
18 and dismissal, if the offense for which the person was placed on  
19 deferred adjudication was:

20 (A) a misdemeanor under Chapter 20, 21, 22, 25,  
21 42, 43, or 46, Penal Code; or

22 (B) a state jail felony listed in Article  
23 42A.551(a), Code of Criminal Procedure; or

24 (3) the third [~~fifth~~] anniversary of the discharge and

1 dismissal, if the offense for which the person was placed on  
2 deferred adjudication was a felony other than a state jail felony  
3 described by Subdivision (2)(B).

4 SECTION 2. This Act takes effect September 1, 2023.