

By: Moody

H.B. No. 4628

A BILL TO BE ENTITLED

AN ACT

relating to enhancement of the penalty for a felony conviction based on a juvenile delinquent conduct adjudication.

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

SECTION 1. The following provisions are repealed:

(1) Section 51.13(d), Family Code; and

(2) Section 12.42(f), Penal Code.

SECTION 2. Section 51.13(a), Family Code, is amended to read as follows:

(a) Except as provided by Subsection [~~Subsections (d) and~~ (e)], an order of adjudication or disposition in a proceeding under this title is not a conviction of crime. Except as provided by Chapter 841, Health and Safety Code, an order of adjudication or disposition does not impose any civil disability ordinarily resulting from a conviction or operate to disqualify the child in any civil service application or appointment.

SECTION 3. Section 58.260(a), Family Code, is amended to read as follows:

(a) A juvenile court may allow, by order, the inspection of records sealed under this subchapter or under Section 58.003, as that law existed before September 1, 2017, only by:

(1) a person named in the order, on the petition of the person who is the subject of the records;

(2) a prosecutor, on the petition of the prosecutor,

1 for the purpose of reviewing the records for possible use [÷  
2 [~~(A)~~] in a capital prosecution; or  
3 [~~(B) for the enhancement of punishment under~~  
4 ~~Section 12.42, Penal Code, or~~]

5 (3) a court, the Texas Department of Criminal Justice,  
6 or the Texas Juvenile Justice Department for the purposes of  
7 Article 62.007(e), Code of Criminal Procedure.

8 SECTION 4. The change in law made by this Act applies only  
9 to an offense committed on or after the effective date of this Act.  
10 An offense committed before the effective date of this Act is  
11 governed by the law in effect on the date the offense was committed,  
12 and the former law is continued in effect for that purpose. For the  
13 purposes of this section, an offense was committed before the  
14 effective date of this Act if any element of the offense occurred  
15 before that date.

16 SECTION 5. This Act takes effect September 1, 2025.