

## **BILL ANALYSIS**

C.S.H.B. 3344

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Licensing & Administrative Procedures  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Minors who violate provisions of the Alcoholic Beverage Code must wait until age 21 to apply to the court in which the person was convicted to have the conviction expunged.

C.S.H.B. 3344 would lower the age at which a person may apply for an expunction, limits the amount of expunctions a person can apply for, and stipulates that only a person who has just one convicted violation of the Alcoholic Beverage Code can apply for an expunction.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3344 lowers the age at which a person can apply to the court for expunction of his or her conviction of a violation of the Alcoholic Beverage Code while a minor. The age at which a person can make such an application, which is currently 21 years, would be lowered to 19 years. There is a one time limit for the amount of times you can apply for the expunction, as well as a requirement that one year must pass before you are eligible. The individual asking for the expunction cannot have been convicted of a violation of this code other than the one the person seeks expunction.

### **EFFECTIVE DATE**

September 1, 2005.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

C.S.H.B. 3344 modifies the bill by adding language authorizing a person to file for an expunction only once.

The substitute modifies the bill by adding language authorizing a person to apply for an expunction if at least one year has passed since the date of the offense.

C.S.H.B. 3344 modifies the bill by adding language authorizing a person to file for an expunction only if the person has not been convicted of more than one violation of the Alcoholic Beverage Code, rather than only limiting the conviction to when the person was a minor.