

By: Uresti

H.B. No. 3344

Substitute the following for H.B. No. 3344:

By: Geren

C.S.H.B. No. 3344

A BILL TO BE ENTITLED

AN ACT

relating to the expunction of certain alcohol-related convictions
committed by a minor.

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

SECTION 1. Section 106.12(a), Alcoholic Beverage Code, is
amended to read as follows:

Sec. 106.12. EXPUNCTION [~~EXPUNGEMENT~~] OF CONVICTION OF A
MINOR. (a) Any person convicted of a [~~not more than one~~] violation
of this code while a minor [~~, on attaining the age of 21 years,~~] may
apply to the court in which the person [~~he~~] was convicted to have
the conviction expunged if:

(1) at least one year has elapsed since the date of the
offense;

(2) the person has attained the age of 19 years; and

(3) the person has not been convicted of a violation of
this code other than the conviction for which the person seeks
expunction.

(b) The application shall contain the applicant's sworn
statement that the applicant [~~he~~] was not convicted of any
violation of this code [~~while a minor~~] other than the one the
applicant [~~he~~] seeks to have expunged.

(c) If the court finds that the applicant was not convicted
of any other violation of this code [~~while he was a minor~~], the
court shall order the conviction, together with all complaints,

1 verdicts, sentences, and other documents relating to the offense,
2 to be expunged from the applicant's record. After entry of the
3 order, the applicant shall be released from all disabilities
4 resulting from the conviction, and the conviction may not be shown
5 or made known for any purpose.

6 (d) A person may file only one application under this
7 section.

8 SECTION 2. This Act takes effect September 1, 2005.