

## **BILL ANALYSIS**

Senate Research Center  
80R20792 SLO-F

C.S.H.B. 1960  
By: Ortiz, Jr., Madden (Hinojosa)  
Jurisprudence  
5/18/2007  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In order to protect the privacy of a juvenile suspect or offender, records pertaining to a juvenile may be inspected only by a limited number of agencies and individuals. However, the juvenile and the juvenile's parents are not listed among those persons allowed to inspect these records, which creates problems for both the juvenile and the juvenile's parents.

The parents cannot access the police report and other factual information needed to discipline their child appropriately and deal with the child's delinquent conduct. Moreover, the juvenile cannot get access to these records when they are required as part of a college or employment application process.

C.S.H.B. 1960 includes the juvenile and the juvenile's parents or guardian to the list of persons who can inspect or copy these files. H.B.1960 further provides that, in cases where there are multiple juvenile offenders, the juvenile or the juvenile's parent or guardian is authorized to have access to the record or file only after the names of other juvenile offenders have been redacted. This provision would protect the privacy of other juvenile offenders, while maintaining access to the records for the child or the child's parent or guardian.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 58.007, Family Code, by amending Subsection (e) and adding Subsection (j), as follows:

(e) Authorizes law enforcement records and files concerning a child to be inspected or copied by a juvenile justice agency, the child, and the child's parent or guardian.

(j) Requires the custodian of the record or file, before a child or a child's parent or guardian may inspect or copy the record or file concerning the child under Subsection (e), to redact any personally identifiable information about a juvenile suspect, offender, victim, or witness who is not the child, and any information that is excepted from required disclosure under Chapter 552 (Public Information), Government Code, or other law.

SECTION 2. Effective date: September 1, 2007.