

BILL ANALYSIS

Senate Research Center

S.B. 665
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Jurisprudence
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law allows for the expunction of the record of an offense committed by a minor under Section 106.12, Alcoholic Beverage Code, when the person reaches the age of 21. Many times when a person is applying for a first-time job or for admission in a school such an offense will appear on his or her record.

As proposed, S.B. 665 authorizes a 19-year-old to apply to have certain convictions expunged.

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 106.12, Alcoholic Beverage Code, as follows:

Sec. 106.12. New heading: EXPUNCTION OF CONVICTION OF A MINOR. (a) Authorizes a person convicted of a violation, rather than only one violation, of this code while a minor to apply to the court in which the person was convicted to have the conviction expunged if the person is 19 years old, rather than 21 years old, at least one year has elapsed since the date of the offense, and the person has not been not convicted of another violation of this code.

(b) Requires the application to contain a sworn statement that the applicant was not convicted of any violation of this code other than the one the applicant seeks to expunge. Makes nonsubstantive changes. Deletes existing text relating to a condition that the applicant not be convicted of another violation of this code while a minor.

(c) Makes a conforming change.

(d) Requires the court to charge an applicant a fee of \$30 for an application, rather than each application, for expunction, rather than expungement, filed under this section to defray the cost of notifying state agencies of orders to expunction under this section.

(e) Prohibits a person from filing more than one application under this section.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.