

By: Dutton

H.B. No. 800

A BILL TO BE ENTITLED

1 AN ACT

2 relating to permitting certain persons placed on deferred
3 adjudication to seek an expunction of arrest records and files.

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

5 SECTION 1. Article 55.01(b), Code of Criminal Procedure, is
6 amended to read as follows:

7 (b) Except as provided by Subsection (c) of this section, a
8 district court may expunge all records and files relating to the
9 arrest of a person who has been arrested for commission of a felony
10 or misdemeanor under the procedure established under Article 55.02
11 of this code if the person is:

12 (1) tried for the offense for which the person was
13 arrested, [+]

14 [~~(2)~~] convicted of the offense, [+] and

15 [~~(3)~~] acquitted by the court of criminal appeals; or

16 (2) placed on deferred adjudication community
17 supervision for the offense for which the person was arrested, if
18 the judge, under Section 5, Article 42.12, subsequently discharges
19 the person and dismisses the proceedings.

20 SECTION 2. This Act takes effect September 1, 2007.