

By: Uresti

S.B. No. 665

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, Alcoholic Beverage Code, is  
amended to read as follows:

Sec. 106.12. EXPUNCTION [~~EXPUNCEMENT~~] OF CONVICTION OF A  
MINOR. (a) Any person convicted of 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 applicant [~~he~~] was convicted to have the  
conviction expunged.

(a-1) A person convicted of a violation of Section 106.02,  
106.025, 106.04, or 106.05 while a minor may apply to the court in  
which the person 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) An [~~The~~] application under Subsection (a) 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. An application under

1 Subsection (a-1) shall contain the applicant's sworn statement that  
2 the applicant was not convicted of any violation of this code other  
3 than the one the applicant seeks to have expunged.

4 (c) If the court finds that an ~~[the]~~ applicant under  
5 Subsection (a) was not convicted of any other violation of this code  
6 while the applicant ~~[he]~~ was a minor or that an applicant under  
7 Subsection (a-1) was not convicted of any other violation of this  
8 code, the court shall order the conviction, together with all  
9 complaints, verdicts, sentences, and other documents relating to  
10 the offense, to be expunged from the applicant's record. After  
11 entry of the order, the applicant shall be released from all  
12 disabilities resulting from the conviction, and the conviction may  
13 not be shown or made known for any purpose.

14 (d) The court shall charge an applicant a fee in the amount  
15 of \$30 for an ~~[each]~~ application for expunction ~~[expungement]~~ filed  
16 under this section to defray the cost of notifying state agencies of  
17 orders of expunction ~~[expungement]~~ under this section.

18 SECTION 2. The change in law made by this Act applies only to  
19 an application for expunction filed on or after the effective date  
20 of this Act. An application for expunction filed before the  
21 effective date of this Act is covered by the law in effect when the  
22 application was filed, and the former law is continued in effect for  
23 that purpose.

24 SECTION 3. This Act takes effect September 1, 2007.