

By: Uresti S.B. No. 665
(In the Senate - Filed February 15, 2007; February 28, 2007,
read first time and referred to Committee on Jurisprudence;
April 12, 2007, reported favorably by the following vote: Yeas 5,
Nays 0; April 12, 2007, sent to printer.)

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

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

(e) A person may file only one application under this
section.

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

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

* * * * *