

By: Harris

S.B. No. 1702

A BILL TO BE ENTITLED

AN ACT

relating to the age at which juvenile records may be sealed.

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

SECTION 1. Sections 58.003(a) and (d), Family Code, are amended to read as follows:

(a) Except as provided by Subsections (b) and (c), on the application of a person who has been found to have engaged in delinquent conduct or conduct indicating a need for supervision, or a person taken into custody to determine whether the person engaged in delinquent conduct or conduct indicating a need for supervision, on the juvenile court's own motion the court shall order the sealing of the records in the case if the court finds that:

(1) the person is 17 years of age or older;

(2) two years have elapsed since final discharge of the person or since the last official action in the person's case if there was no adjudication; and

(3) [~~(2)~~] since the time specified in Subdivision (2) [~~(1)~~], the person has not been convicted of a felony or a misdemeanor involving moral turpitude or found to have engaged in delinquent conduct or conduct indicating a need for supervision and no proceeding is pending seeking conviction or adjudication.

(d) The court may grant the relief authorized in Subsection (a) at any time after the requirements of that subsection have been met [~~final discharge of the person or after the last official action~~]

1 ~~in the case if there was no adjudication]~~. If the child is referred
2 to the juvenile court for conduct constituting any offense and at
3 the adjudication hearing the child is found to be not guilty of each
4 offense alleged, the court shall immediately order the sealing of
5 all files and records relating to the case, without regard to the
6 age of the child.

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