

SENATE AMENDMENTS

2nd Printing

By: Ortiz, Jr., Madden

H.B. No. 1960

A BILL TO BE ENTITLED

AN ACT

relating to access to records or files concerning a child who is subject to the juvenile justice system.

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

SECTION 1. Section 58.007, Family Code, is amended by amending Subsection (e) and adding Subsection (j) to read as follows:

(e) Law enforcement records and files concerning a child may be inspected or copied by a juvenile justice agency as that term is defined by Section 58.101, ~~[and]~~ a criminal justice agency as that term is defined by Section 411.082, Government Code, the child, and the child's parent or guardian.

(j) Before a child or a child's parent or guardian may inspect or copy a record or file concerning the child under Subsection (e), the custodian of the record or file shall redact:

(1) any reference in the record or file to a suspect, offender, victim, or witness who is not the child; and

(2) any information that is excepted from required disclosure under Chapter 552, Government Code, or other law.

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

ADOPTED

MAY 23 2007

Lotay Spaw
Secretary of the Senate

By: J. J. Amey

____.B. No. ____

Substitute the following for ____B. No. ____:

By: J. J. Amey

C.S.H.B. No. 1900

A BILL TO BE ENTITLED

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

SECTION 1. Section 58.007, Family Code, is amended by amending Subsection (e) and adding Subsection (j) to read as follows:

(e) Law enforcement records and files concerning a child may be inspected or copied by a juvenile justice agency as that term is defined by Section 58.101, ~~and~~ a criminal justice agency as that term is defined by Section 411.082, Government Code, the child, and the child's parent or guardian.

(j) Before a child or a child's parent or guardian may inspect or copy a record or file concerning the child under Subsection (e), the custodian of the record or file shall redact:

(1) any personally identifiable information about a juvenile suspect, offender, victim, or witness who is not the child; and

(2) any information that is excepted from required disclosure under Chapter 552, Government Code, or other law.

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 19, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1960 by Ortiz, Jr. (Relating to access to records or files concerning a child who is subject to the juvenile justice system.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend subsection (e) and add subsection (j) to Section 58, Family Code, to allow a youth and his parent or guardian to inspect and copy records or files concerning the youth. The custodian of the records would be required to redact any personally identifiable information and any information that is excepted from required disclosure.

The Office of the Attorney General and the Juvenile Probation Commission have determined that the cost of implementing the provisions of this bill would not be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 665 Juvenile Probation Commission

LBB Staff: JOB, MN, GG, AI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 17, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1960 by Ortiz, Jr. (Relating to access to records or files concerning a child who is subject to the juvenile justice system.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend subsection (e) and add subsection (j) to Section 58, Family Code, to allow a youth and his parent or guardian to inspect and copy records or files concerning the youth. The custodian of the records would be required to redact certain references and information that is excepted from required disclosure.

The Office of the Attorney General and the Juvenile Probation Commission have determined that the cost of implementing the provisions of this bill would not be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 665 Juvenile Probation Commission

LBB Staff: JOB, MN, GG, AI

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 9, 2007

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB1960** by Ortiz, Jr. (Relating to access to records or files concerning a child who is subject to the juvenile justice system.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend subsection (e) and add subsection (j) to Section 58, Family Code, to allow a youth and his parent or guardian to inspect and copy records or files concerning the youth. The custodian of the records would be required to redact references to other juveniles in the records prior to releasing the records to the youth or his parent or guardian.

The Office of the Attorney General and the Juvenile Probation Commission have determined that the cost of implementing the provisions of this bill would not be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 665 Juvenile Probation Commission

LBB Staff: JOB, MN, GG, AI

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 26, 2007

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB1960** by Ortiz, Jr. (Relating to access to records or files concerning a child who is subject to the juvenile justice system.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend subsections (b) and (e) and add subsection (j) to Section 58, Family Code, to allow a youth and his parent or guardian to inspect copies of records or files of a juvenile court, a clerk of court, a juvenile probation department, or a prosecuting attorney for the youth in a juvenile proceeding. The custodian of the records would be required to redact references to other juveniles in the records prior to releasing the records to the youth or his parent or guardian.

The Office of the Attorney General and the Juvenile Probation Commission have determined that the cost of implementing the provisions of this bill would not be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 665 Juvenile Probation Commission

LBB Staff: JOB, MN, GG, AI

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

May 19, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB1960** by Ortiz, Jr. (Relating to access to records or files concerning a child who is subject to the juvenile justice system.), **Committee Report 2nd House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes, or to juveniles who have been adjudicated for misdemeanor or felony conduct.

Source Agencies:

LBB Staff: JOB, SD, GG, LM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

May 16, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB1960** by Ortiz, Jr. (Relating to access to records or files concerning a child who is subject to the juvenile justice system.), **As Engrossed**

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Source Agencies:

LBB Staff: JOB, GG, LM

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

April 9, 2007

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB1960** by Ortiz, Jr. (Relating to access to records or files concerning a child who is subject to the juvenile justice system.), **Committee Report 1st House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes, or to juveniles who have been adjudicated for misdemeanor or felony conduct.

Source Agencies:

LBB Staff: JOB, GG

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

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TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: John S. O'Brien, Director, Legislative Budget Board

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Source Agencies:

LBB Staff: JOB, GG

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