

Amend CSSB 112 (Senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 617.001(b), Health and Safety Code (page 1, lines 42-43), between "a veterans court program" and "after notice", insert ", as authorized under Section 76.011, Government Code,".

(2) In SECTION 1 of the bill, in added Section 617.001(b), Health and Safety Code (page 1, lines 47-51), strike "and enter an order of expunction under Chapter 55, Code of Criminal Procedure, regardless of whether the defendant was convicted of the offense for which the defendant entered the program or whether the court deferred further proceedings without entering an adjudication of guilt".

(3) In SECTION 1 of the bill, in added Section 617.002(a), Health and Safety Code (page 1, lines 54-55), strike ", charged with, or convicted of" and substitute "or charged with".

(4) In SECTION 1 of the bill, in added Section 617.002(a)(2), Health and Safety Code (page 1, line 63), strike "or mental illness" and substitute ", mental illness, or mental disorder, including post-traumatic stress disorder,".

(5) In SECTION 1 of the bill, strike added Section 617.007, Health and Safety Code (page 3, lines 2-13).

(6) Strike SECTION 2 of the bill (page 3, lines 14-29), and substitute the following:

SECTION 2. Subsection (a), Article 55.01, Code of Criminal Procedure, is amended to read as follows:

(a) A person who has been placed under a custodial or noncustodial arrest for commission of either a felony or misdemeanor is entitled to have all records and files relating to the arrest expunged if:

(1) the person is tried for the offense for which the person was arrested and is:

(A) acquitted by the trial court, except as provided by Subsection (c) of this section; or

(B) convicted and subsequently pardoned; or

(2) each of the following conditions exist:

(A) an indictment or information charging the person with commission of a felony has not been presented against the person for an offense arising out of the transaction for which the person was arrested or, if an indictment or information charging the person with commission of a felony was presented, the indictment or information has been dismissed or quashed, and:

(i) the limitations period expired before

the date on which a petition for expunction was filed under Article 55.02; or

(ii) the court finds that the indictment or information was dismissed or quashed because the person completed a pretrial intervention program authorized under Section 76.011, Government Code, or because the presentment had been made because of mistake, false information, or other similar reason indicating absence of probable cause at the time of the dismissal to believe the person committed the offense or because it was void;

(B) the person has been released and the charge, if any, has not resulted in a final conviction and is no longer pending and there was no court ordered community supervision under Article 42.12 for any offense other than a Class C misdemeanor; and

(C) the person has not been convicted of a felony in the five years preceding the date of the arrest.