

Amend CSSB 1717 (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES and SECTIONS of the bill accordingly:

ARTICLE _____. CONFIDENTIALITY OF CERTAIN COURT RECORDS

SECTION _____.01. Chapter 44, Code of Criminal Procedure, is amended by adding Article 44.282 to read as follows:

Art. 44.282. RECORDS AND FILES RELATING TO CERTAIN CHILDREN. (a) In this article, "child" has the meaning assigned by Section 51.02, Family Code.

(b) All records and files relating to a child who is appealing a conviction from a municipal court or a justice court for a misdemeanor offense punishable by a fine only, other than a traffic offense, are confidential during the pendency of the appeal and may not be disclosed except as provided by Article 45.0217(c).

(c) All records and files relating to a child whose conviction from a municipal court or a justice court for a misdemeanor offense punishable by a fine only, other than a traffic offense, was appealed are confidential following the disposition of the appeal and may not be disclosed except as provided by Article 45.0217(c):

(1) on satisfaction of the judgment, if the conviction is affirmed; or

(2) on reversal or remand of the conviction.

SECTION _____.02. Chapter 45, Code of Criminal Procedure, is amended by adding Article 45.0217 to read as follows:

Art. 45.0217. CONFIDENTIALITY OF CERTAIN CONVICTION RECORDS AND FILES OF CHILDREN. (a) In this article, "child" has the meaning assigned by Section 51.02, Family Code.

(b) Except as provided by Subsection (c), on satisfaction of the judgment, all records and files relating to a child who is convicted of a misdemeanor offense punishable by a fine only, other than a traffic offense, including records and files held by a law enforcement agency, are confidential and may not be disclosed.

(c) Records and files relating to a child convicted of a misdemeanor offense punishable by a fine only, other than a traffic offense, may be disclosed to:

(1) a judge or magistrate, including the staff of a judge or magistrate;

(2) the Department of Public Safety or another criminal justice agency, for a criminal justice purpose, as those terms are defined by Section 411.082, Government Code;

(3) the attorney for the child;

(4) the prosecuting attorney;

(5) the child and the child's parent, guardian, or managing conservator; and

(6) a person to whom information is required to be disclosed under Article 15.27.

SECTION _____.03. Section 411.0851(a), Government Code, is amended to read as follows:

(a) A private entity that compiles and disseminates for compensation criminal history record information shall destroy and may not disseminate any information in the possession of the entity with respect to which the entity has received notice that:

(1) an order of expunction has been issued under Article 55.02, Code of Criminal Procedure; or

(2) an order of nondisclosure has been issued under Section 411.081(d) [~~or (f-1)~~].

SECTION _____.04. The heading to Section 552.142, Government Code, is amended to read as follows:

Sec. 552.142. EXCEPTION: RECORDS OF CERTAIN DEFERRED ADJUDICATIONS [~~AND CERTAIN MISDEMEANORS PUNISHABLE BY FINE ONLY~~].

SECTION _____.05. Section 552.142(a), Government Code, is amended to read as follows:

(a) Information is excepted from the requirements of Section 552.021 if an order of nondisclosure with respect to the information has been issued under Section 411.081(d) [~~or (f-1)~~].

SECTION _____.06. Section 552.1425(a), Government Code, is amended to read as follows:

(a) A private entity that compiles and disseminates for compensation criminal history record information may not compile or disseminate information with respect to which the entity has received notice that:

(1) an order of expunction has been issued under

Article 55.02, Code of Criminal Procedure; or

(2) an order of nondisclosure has been issued under Section 411.081(d) [~~or (f-1)~~].

SECTION _____.07. Section 58.005, Family Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Subsection (a) [~~This section~~] does not apply to information collected under Section 58.104 or under Subchapter D-1.

(c) Except as provided by Article 45.0217(c), Code of Criminal Procedure, all records and files relating to a child who is convicted of a misdemeanor offense punishable by a fine only, other than a traffic offense, or is found to have engaged in conduct indicating a need for supervision that is described by Section 51.03(b)(1), are confidential and may not be disclosed:

(1) on satisfaction of the judgment, if the records and files relate to a child who is convicted of a misdemeanor offense punishable by a fine only, other than a traffic offense; or

(2) on completion of the terms of the disposition, if the records and files relate to a child found to have engaged in conduct indicating a need for supervision that is described by Section 51.03(b)(1).

SECTION _____.08. Sections 411.081(f-1) and (j), Government Code, are repealed.

SECTION _____.09. The changes in law made by this article apply to all records and files that exist on or after the effective date of this Act, regardless of when the conviction or the finding that is the subject of the records and files occurred or when the judgment contained in the records and files was satisfied or the terms of the disposition contained in the records and files was completed.