

## **BILL ANALYSIS**

H.B. 2711  
By: Thompson  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

A recent report relating to youth involved in prostitution recommended that a process be created for juveniles who have been charged with prostitution but are found to be victims of human trafficking to have their records sealed on completion of terms of supervision. This report recognized that a criminal record that includes prostitution-related offenses could hinder future employment opportunities and that sealing the records would allow juvenile victims of human trafficking the ability to remove the stigma of the offense from their record.

Interested parties assert that legislation is needed to require a court, immediately after a juvenile successfully completes terms of probation or is discharged from the Texas Youth Commission, to seal the juvenile's record of a prostitution-related offense if the juvenile was found to have been a victim of human trafficking. H.B. 2711 seeks to address this matter relating to the sealing of the records of such juveniles.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2711 amends the Family Code to require a juvenile court to order the sealing of records concerning a child who is the victim of a human trafficking offense and who is adjudicated as having engaged in delinquent conduct constituting a public indecency offense when the child, as applicable, successfully completes the term of the child's probation or is discharged from the Texas Youth Commission (TYC). The bill requires the court to order the sealing of the records immediately and without a hearing. The bill authorizes a prosecuting attorney or juvenile probation department to maintain until a child's 17th birthday a separate record of the child's name and date of birth and the date the child successfully completed the term of the child's probation or was discharged from TYC, if the child's records are sealed in that manner. The bill requires the prosecuting attorney or juvenile probation department, as applicable, to send the record to the court as soon as practicable after the child's 17th birthday to be added to the child's other sealed records. The bill authorizes the court to grant the relief authorized under the bill's provisions at any time after final discharge of the person or after the last official action in the case if there was no adjudication.

### **EFFECTIVE DATE**

September 1, 2011.