

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 14, 2011**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

**IN RE: HB961** by Turner (Relating to the sealing of and restricting access to juvenile records of adjudications of delinquent conduct or conduct indicating a need for supervision and to the confidentiality of records of certain misdemeanor convictions of a child.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
---

The bill would amend the Family Code regarding the age of a juvenile as it relates to the courts sealing and restricting access to juvenile records. The bill also would amend the Code of Criminal Procedure and the Family Code to make all records and files and information relating to a child who is convicted of and has satisfied the judgment for a fine-only misdemeanor offense other than a traffic offense confidential except under certain circumstances. Information could only be open to inspection by a judge or court staff, criminal justice agency, the Department of Public Safety, an attorney for the party, a child defendant, or the defendant's parent, guardian or managing conservator.

The bill would repeal Section 411.081(f-1) and (j) of the Government Code to prevent the release of information to disallowed entities. To the extent the bill would amend court procedures, no significant impact to judicial workloads or fiscal implication to the state is anticipated. The bill would take immediate effect if the bill receives two-thirds the vote of all members in both houses. Otherwise, the bill would take effect September 1, 2011.

**Local Government Impact**

There could be a fiscal impact to some local governmental entities depending on what the current procedures were regarding notifying the requisite agencies after a judgment had been satisfied. There could also be costs to provide training to a court clerk regarding discerning cases that are subject to the nondisclosure provisions and those that are not which could result in the elimination of court consideration of nondisclosure petitions. No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 665 Juvenile Probation Commission, 694 Youth Commission

**LBB Staff:** JOB, TB, ESi, KKR