

## **BILL ANALYSIS**

H.B. 528  
By: Turner, Sylvester  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, the records of a child convicted of a fine-only misdemeanor, other than a traffic offense, are confidential. Interested parties contend that the intent of this provision is to prevent the release of information of a child convicted in this type of case, but that the records of a child who has been charged with or who is appealing the case are not protected. H.B. 528 seeks to close this unintended loophole in current law.

### **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. 528 amends the Code of Criminal Procedure and the Family Code to make statutory provisions making confidential and prohibiting public disclosure of all records, files, and information stored by electronic means or otherwise, from which a record or file could be generated, relating to a child who is convicted of a fine-only misdemeanor other than a traffic offense, apply also to all such records, files, and information relating to a child who is charged with such an offense or whose conviction for such an offense is appealed. The bill clarifies that the records, files, and information relating to a child who is convicted for such an offense are confidential and may not be disclosed to the public, regardless of whether the judgment was satisfied. The bill's provisions apply to an offense committed before, on, or after the bill's effective date.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.