

By: Turner of Harris, Giddings, Miles

H.B. No. 528

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the restriction of access to the records and files of a  
3 child charged with or convicted of certain fine-only misdemeanor  
4 offenses.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Article 44.2811, Code of Criminal Procedure, is  
7 amended to read as follows:

8 Art. 44.2811. RECORDS RELATING TO CERTAIN [~~CHILDREN~~  
9 ~~CONVICTED OF~~] FINE-ONLY MISDEMEANORS COMMITTED BY A CHILD. [~~All~~  
10 ~~records and files and information stored by electronic means or~~  
11 ~~otherwise, from which a record or file could be generated, relating~~  
12 ~~to a child who is convicted of and has satisfied the judgment for a~~  
13 ~~fine-only misdemeanor offense other than a traffic offense are~~  
14 ~~confidential and may not be disclosed to the public except as~~  
15 ~~provided under Article 45.0217(b).~~] All records and files and  
16 information stored by electronic means or otherwise, from which a  
17 record or file could be generated, relating to a criminal case  
18 [~~child whose conviction~~] for a fine-only misdemeanor, other than a  
19 traffic offense, that is committed by a child and that is appealed  
20 [~~affirmed~~] are confidential [~~upon satisfaction of the judgment~~] and  
21 may not be disclosed to the public except as provided under Article  
22 45.0217(b).

23 SECTION 2. The heading to Article 45.0217, Code of Criminal  
24 Procedure, is amended to read as follows:

1 Art. 45.0217. CONFIDENTIAL RECORDS RELATED TO CHARGES  
2 AGAINST OR THE CONVICTION OF A CHILD.

3 SECTION 3. Article 45.0217(a), Code of Criminal Procedure,  
4 is amended to read as follows:

5 (a) Except as provided by Article 15.27 and Subsection (b),  
6 all records and files, including those held by law enforcement, and  
7 information stored by electronic means or otherwise, from which a  
8 record or file could be generated, relating to a child who is  
9 charged with, is convicted of, is found not guilty of, had a charge  
10 dismissed for, or is granted deferred disposition [~~and has~~  
11 ~~satisfied the judgment~~] for a fine-only misdemeanor offense other  
12 than a traffic offense are confidential and may not be disclosed to  
13 the public.

14 SECTION 4. Section 58.00711, Family Code, is amended to  
15 read as follows:

16 Sec. 58.00711. RECORDS RELATING TO CHILDREN CHARGED WITH OR  
17 CONVICTED OF FINE-ONLY MISDEMEANORS. Except as provided by Article  
18 45.0217(b), Code of Criminal Procedure, all records and files and  
19 information stored by electronic means or otherwise, from which a  
20 record or file could be generated, relating to a child who is  
21 charged with, is convicted of, is found not guilty of, had a charge  
22 dismissed for, or is granted deferred disposition [~~and has~~  
23 ~~satisfied the judgment~~] for a fine-only misdemeanor offense other  
24 than a traffic offense are confidential and may not be disclosed to  
25 the public.

26 SECTION 5. Articles 44.2811 and 45.0217, Code of Criminal  
27 Procedure, and Section 58.00711, Family Code, as amended by this

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1 Act, apply to an offense committed before, on, or after the  
2 effective date of this Act.

3 SECTION 6. This Act takes effect January 1, 2014.