

AN ACT

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

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

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

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

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

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

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

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

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

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

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

H.B. No. 528

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.

President of the Senate

Speaker of the House

I certify that H.B. No. 528 was passed by the House on April 23, 2013, by the following vote: Yeas 146, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 528 was passed by the Senate on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____
Date

Governor