

1-1 By: Turner of Harris, Giddings, Miles H.B. No. 528
 1-2 (Senate Sponsor - Whitmire)
 1-3 (In the Senate - Received from the House April 24, 2013;
 1-4 April 29, 2013, read first time and referred to Committee on
 1-5 Jurisprudence; May 16, 2013, reported favorably by the following
 1-6 vote: Yeas 7, Nays 0; May 16, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the restriction of access to the records and files of a
 1-19 child charged with or convicted of certain fine-only misdemeanor
 1-20 offenses.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Article 44.2811, Code of Criminal Procedure, is
 1-23 amended to read as follows:

1-24 Art. 44.2811. RECORDS RELATING TO CERTAIN CHILDREN
 1-25 ~~CONVICTED OF~~ FINE-ONLY MISDEMEANORS COMMITTED BY A CHILD. ~~[All~~
 1-26 ~~records and files and information stored by electronic means or~~
 1-27 ~~otherwise, from which a record or file could be generated, relating~~
 1-28 ~~to a child who is convicted of and has satisfied the judgment for a~~
 1-29 ~~fine-only misdemeanor offense other than a traffic offense are~~
 1-30 ~~confidential and may not be disclosed to the public except as~~
 1-31 ~~provided under Article 45.0217(b).]~~ All records and files and
 1-32 information stored by electronic means or otherwise, from which a
 1-33 record or file could be generated, relating to a criminal case
 1-34 [child whose conviction] for a fine-only misdemeanor, other than a
 1-35 traffic offense, that is committed by a child and that is appealed
 1-36 [affirmed] are confidential [upon satisfaction of the judgment] and
 1-37 may not be disclosed to the public except as provided under Article
 1-38 45.0217(b).

1-39 SECTION 2. The heading to Article 45.0217, Code of Criminal
 1-40 Procedure, is amended to read as follows:

1-41 Art. 45.0217. CONFIDENTIAL RECORDS RELATED TO CHARGES
 1-42 AGAINST OR THE CONVICTION OF A CHILD.

1-43 SECTION 3. Article 45.0217(a), Code of Criminal Procedure,
 1-44 is amended to read as follows:

1-45 (a) Except as provided by Article 15.27 and Subsection (b),
 1-46 all records and files, including those held by law enforcement, and
 1-47 information stored by electronic means or otherwise, from which a
 1-48 record or file could be generated, relating to a child who is
 1-49 charged with, is convicted of, is found not guilty of, had a charge
 1-50 dismissed for, or is granted deferred disposition [and has
 1-51 satisfied the judgment] for a fine-only misdemeanor offense other
 1-52 than a traffic offense are confidential and may not be disclosed to
 1-53 the public.

1-54 SECTION 4. Section 58.00711, Family Code, is amended to
 1-55 read as follows:

1-56 Sec. 58.00711. RECORDS RELATING TO CHILDREN CHARGED WITH OR
 1-57 CONVICTED OF FINE-ONLY MISDEMEANORS. Except as provided by Article
 1-58 45.0217(b), Code of Criminal Procedure, all records and files and
 1-59 information stored by electronic means or otherwise, from which a
 1-60 record or file could be generated, relating to a child who is
 1-61 charged with, is convicted of, is found not guilty of, had a charge

2-1 dismissed for, or is granted deferred disposition [~~and has~~
2-2 ~~satisfied the judgment~~] for a fine-only misdemeanor offense other
2-3 than a traffic offense are confidential and may not be disclosed to
2-4 the public.

2-5 SECTION 5. Articles 44.2811 and 45.0217, Code of Criminal
2-6 Procedure, and Section 58.00711, Family Code, as amended by this
2-7 Act, apply to an offense committed before, on, or after the
2-8 effective date of this Act.

2-9 SECTION 6. This Act takes effect January 1, 2014.

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