

By: Canales

H.B. No. 2989

A BILL TO BE ENTITLED

AN ACT

relating to the rights of certain defendants who successfully complete a term of community supervision.

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

SECTION 1. Section 20, Article 42.12, Code of Criminal Procedure, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) If the judge sets aside the verdict or permits the defendant to withdraw the defendant's plea and dismisses the accusation, complaint, information, or indictment against the defendant under Subsection (a):

(1) a licensing authority may not deny an application for an occupational license, suspend, revoke, or refuse to renew an occupational license, or take any other disciplinary action against the defendant based on the offense of which the defendant has been convicted or to which the defendant has pleaded guilty; and

(2) the defendant may not be denied a benefit or subject to any civil disability or disqualification based on the offense of which the defendant has been convicted or to which the defendant has pleaded guilty.

(d) Subsection (c) supersedes any conflicting state statute enacted before September 1, 2013, that purports to deny a benefit or impose a disability or disqualification.

(e) Subsection (c) supersedes any conflicting state statute

1 enacted on or after September 1, 2013, unless the statute expressly
2 provides otherwise.

3 SECTION 2. This Act takes effect September 1, 2013.