

By: Wu

H.B. No. 327

Substitute the following for H.B. No. 327:

By: Elkins

C.S.H.B. No. 327

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a study on the availability of information regarding
3 convictions and deferred dispositions for certain fine-only
4 misdemeanors.

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

6 SECTION 1. (a) The Office of Court Administration of the
7 Texas Judicial System shall conduct a study on how records
8 regarding Class C misdemeanors, other than traffic offenses, are
9 held in different Texas counties.

10 (b) The study shall address, with respect to each county:

11 (1) the public availability of Class C misdemeanor
12 conviction records;

13 (2) the public availability of any records relating to
14 a suspension of sentence and deferral of final disposition for a
15 Class C misdemeanor under Article [45.051](#), Code of Criminal
16 Procedure;

17 (3) the public availability of any records described
18 by Subdivision (1) or (2) of this subsection that are related to a
19 child;

20 (4) whether public access to and availability of
21 records described by Subdivisions (1)-(3) have been expanded or
22 restricted by the county over time;

23 (5) whether local agencies holding records described
24 by Subdivisions (1)-(3) destroy those records;

1 (6) the reasons and criteria for any destruction of
2 records described by Subdivisions (1)-(3); and

3 (7) the retention schedule of each local agency
4 holding records described by Subdivisions (1)-(3), if the agency
5 routinely destroys the records.

6 (c) Not later than January 1, 2017, the Office of Court
7 Administration shall issue a report on the study required under
8 this section to the lieutenant governor, the speaker of the house of
9 representatives, and the appropriate standing committees of the
10 house of representatives and the senate.

11 (d) This section expires September 1, 2017.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2015.