

## **BILL ANALYSIS**

H.B. 2906  
By: Parker  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been noted that victims of human trafficking who have accrued convictions as a direct result of being victims of that crime may be treated as criminals even after they have escaped the criminal environment and thus face obstacles in obtaining stable housing and employment. There have been calls to make orders of nondisclosure of criminal history record information accessible to more of these victims so that their past convictions resulting from being trafficked do not prevent their successful reintegration into society. H.B. 2906 seeks to increase these victims' chances of achieving future success by expanding the group of trafficking victims eligible for an order of nondisclosure and revising related petition procedures and disclosure provisions.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2906 amends the Government Code to extend the eligibility of trafficking of persons victims placed on community supervision for certain offenses to petition a court for an order of nondisclosure of criminal history record information to such a victim convicted of or placed on deferred adjudication community supervision for any of those offenses or for criminal trespass. The bill requires the nondisclosure order petition to allege specific facts that, if proved, would establish that the petitioner committed the applicable offense solely as a victim of trafficking of persons and authorizes an applicable victim to petition the appropriate court only on or after the 90th day after the date the person:

- completed the sentence, including any term of confinement imposed and payment of all fines, costs, and restitution imposed; or
- if the person was placed on deferred adjudication community supervision, received a dismissal and discharge.

H.B. 2906 prohibits a criminal justice agency from disclosing criminal history record information that is the subject of an order of nondisclosure for such trafficking victims for regulatory licensing purposes or to certain specified noncriminal justice agencies or entities.

### **EFFECTIVE DATE**

September 1, 2019.