

BILL ANALYSIS

H.B. 3277
By: Wu
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the age at which a juvenile court may seal an eligible youth's records related to all matters for which the youth was referred to the juvenile probation department. It has been suggested that education and employment opportunities for certain 17-year-olds with juvenile records may be impeded, complicating their transition into responsible adulthood. H.B. 3277 seeks to address these concerns and to protect these youths from continuing to suffer such consequences by extending eligibility for sealing juvenile records to 17-year-olds, as well as to youths who successfully complete pre-trial diversion or other specialty court programs.

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. 3277 amends the Family Code to lower from 18 years of age to 17 years of age the minimum age at which a juvenile court may order the sealing of records related to all matters for which the person was referred to the juvenile probation department and decreases from two years to one year the number of years that must have elapsed after the date of final discharge in each matter for which a person younger than 17 years of age was referred to the juvenile probation department. The bill authorizes a juvenile court to order the sealing of such records of a person of any age if the person was finally discharged without adjudication in each matter for which the person was referred to the juvenile probation department.

H.B. 3277 requires a juvenile court, if the child is referred to the juvenile court for one or more allegations of delinquent conduct or conduct indicating a need for supervision and each allegation is adjudicated and found by the court or jury to be not true, to immediately order the sealing of all files and records relating to the allegations. The bill applies to records created before, on, or after the bill's effective date.

EFFECTIVE DATE

September 1, 2019.