

By: Bowers, Allen, et al.

H.B. No. 2027

A BILL TO BE ENTITLED

AN ACT

relating to information regarding the procedures and available resources for the sealing of juvenile records.

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

SECTION 1. Section 58.262, Family Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-1), (b-1), and (e) to read as follows:

(a) When a child is referred to the juvenile probation department, an employee of the juvenile probation department shall give the child and the child's parent, guardian, or custodian:

(1) a written explanation describing the process of sealing records under this subchapter and a copy of this subchapter; and

(2) a list of local resources that may assist the child in applying to have the child's records sealed, including attorneys who, at low or no cost, represent persons in applying for the sealing of juvenile records.

(a-1) At the time an employee of the juvenile probation department gives a written explanation under Subsection (a), the employee shall additionally provide an oral explanation of the process of sealing records to the child and the child's parent, guardian, or custodian and allow any of those persons to ask questions regarding the process.

(b) On the final discharge of a child, or on the last

1 official action in the matter if there is no adjudication, a
2 probation officer, other official at the juvenile probation
3 department, or official at the Texas Juvenile Justice Department,
4 as appropriate, shall give the child and the child's parent,
5 guardian, or custodian:

6 (1) a written explanation regarding the eligibility of
7 the child's records for sealing under this subchapter and a copy of
8 this subchapter; and

9 (2) a list of local resources that may assist the child
10 in applying to have the child's records sealed, including attorneys
11 who, at low or no cost, represent persons in applying for the
12 sealing of juvenile records.

13 (b-1) At the time a probation officer, other official at the
14 juvenile probation department, or official at the Texas Juvenile
15 Justice Department gives a written explanation under Subsection
16 (b), the officer or official shall additionally provide an oral
17 explanation of the eligibility of the child's records for sealing
18 to the child and the child's parent, guardian, or custodian and
19 allow any of those persons to ask questions regarding the child's
20 eligibility and the process of having records sealed.

21 (e) The Texas Juvenile Justice Department shall publish on
22 the department's Internet website a brochure that describes the
23 process of sealing records under this subchapter and that lists
24 resources that may assist a child in applying to seal the child's
25 records.

26 SECTION 2. Subchapter C-1, Chapter 58, Family Code, is
27 amended by adding Section 58.2625 to read as follows:

1 Sec. 58.2625. ONLINE DIRECTORY OF ATTORNEYS FOR SEALING
2 JUVENILE RECORDS. (a) In this section, "state bar" means the State
3 Bar of Texas.

4 (b) The state bar shall create and maintain a directory of
5 attorneys in this state who, at low or no cost, represent persons in
6 applying for the sealing of juvenile records. The directory must
7 describe the administrative judicial regions created under Section
8 [74.042](#), Government Code, and list the attorneys who offer that
9 representation in those regions.

10 (c) The state bar shall make the directory available to the
11 public on the state bar's Internet website.

12 SECTION 3. This Act takes effect September 1, 2019.