

By: Bowers

H.B. No. 2027

A BILL TO BE ENTITLED

1 AN ACT
2 relating to information given to a child and the child's parent,
3 guardian, or custodian regarding the sealing of juvenile records.

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

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

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

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

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

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

24 (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 or official at the Texas Juvenile Justice
3 Department, as appropriate, shall give the child and the child's
4 parent, guardian, or custodian:

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

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

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

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

24 SECTION 2. This Act takes effect September 1, 2019.