

By: Wu, Rose, White, Bowers, Dutton

H.B. No. 3277

A BILL TO BE ENTITLED

AN ACT

relating to the sealing of juvenile records.

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

SECTION 1. Section 58.256(c), Family Code, is amended to read as follows:

(c) Except as provided by Subsection (d), the juvenile court may order the sealing of records related to all matters for which the person was referred to the juvenile probation department if the person:

(1) is:

(A) at least 17 [18] years of age;

(B) [~~7~~, ~~or is~~] younger than 17 [18] years of age and at least one year has [two years have] elapsed after the date of final discharge in each matter for which the person was referred to the juvenile probation department; or

(C) any age, if the person was finally discharged without adjudication in each matter for which the person was referred to the juvenile probation department;

(2) does not have any delinquent conduct matters pending with any juvenile probation department or juvenile court;

(3) was not transferred by a juvenile court to a criminal court for prosecution under Section 54.02;

(4) has not as an adult been convicted of a felony; and

(5) does not have any pending charges as an adult for a

1 felony or a misdemeanor punishable by confinement in jail.

2 SECTION 2. Subchapter C-1, Chapter 58, Family Code, is
3 amended by adding Section 58.2555 to read as follows:

4 Sec. 58.2555. AUTOMATIC SEALING OF RECORDS. If the child is
5 referred to the juvenile court for one or more allegations of
6 delinquent conduct or conduct indicating a need for supervision and
7 each allegation is adjudicated and found by the court or jury to be
8 not true, the court shall immediately order the sealing of all files
9 and records relating to the allegations.

10 SECTION 3. The changes in law made by this Act apply to
11 records created before, on, or after the effective date of this Act.

12 SECTION 4. This Act takes effect September 1, 2019.