

All Published Pre-filed Amendments for HB 193

Rose

Amendment

870366

**The following amendment was
published on 4/23/21 4:12 PM**



21 APR 23 PM 2:31
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Rose

1 Amend H.B. No. 193 (house committee printing) as follows:

2 (1) Strike SECTION 1 of the bill (page 1, line 5, through
3 page 2, line 4).

4 (2) Add the following appropriately numbered SECTIONS to
5 the bill and renumber subsequent SECTIONS of the bill accordingly:

6 SECTION _____. Chapter 54, Family Code, is amended by adding
7 Section 54.12 to read as follows:

8 Sec. 54.12. TRAFFICKING VICTIM FINDING. (a) This section
9 applies to a child who was referred to a juvenile probation
10 department and whose records include conduct:

11 (1) that constitutes an offense under Section
12 43.02(a), Penal Code; and

13 (2) for which the defense under Section 43.02(d),
14 Penal Code, applies.

15 (b) If applicable, the court shall enter a finding in the
16 case of a child to whom this section applies stating that the child
17 is a victim of trafficking.

18 SECTION _____. Subchapter C-1, Chapter 58, Family Code, is
19 amended by adding Section 58.2552 to read as follows:

20 Sec. 58.2552. SEALING RECORDS WITH OR WITHOUT APPLICATION:
21 TRAFFICKING VICTIM. (a) If a juvenile court enters a finding that a
22 child is a victim of trafficking under Section 54.12, the court, on
23 the court's own motion and without a hearing, shall immediately
24 order the sealing of all records of the child that are related to
25 the conduct described under that section.

26 (b) Notwithstanding Subsection (a), a child who is entitled
27 to have records sealed under that subsection may file an
28 application for the sealing of records related to the child's
29 applicable conduct in the juvenile court served by the juvenile

1 probation department to which the child was referred. The court may
2 not charge a fee for filing the application, regardless of the form
3 of the application. An application filed under this subsection
4 must include the information required under Section 58.256(b).

5 (c) On receipt of an application under Subsection (b), the
6 court shall immediately order the sealing of the child's records
7 related to the applicable conduct without a hearing.