

BILL ANALYSIS

Senate Research Center
87R16022 ADM-D

H.B. 1401
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Criminal Justice
4/30/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In certain cases, an adult may apply to have their court records sealed electronically, but current law does not provide for the electronic sealing of juvenile court records. The current methods available for sealing juvenile court records are outdated, inefficient, and create unnecessary costs for the juvenile court system. H.B. 1401 seeks to address this issue by allowing for the sealing of juvenile records by secure electronic means.

H.B. 1401 amends current law relating to methods to send applications and orders for sealing juvenile records.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 58.256, Family Code, by adding Subsection (a-1), as follows:

(a-1) Authorizes an application filed under Section 58.256 (Application for Sealing Records) to be sent to the juvenile court by any reasonable method authorized under Rule 21, Texas Rules of Civil Procedure, including secure electronic means.

SECTION 2. Amends Section 58.258(c), Family Code, to require the clerk of court to take certain actions, including to send copies of the order to all entities listed in the order by any reasonable method, including certified mail or secured electronic means, rather than including certified mail, regular mail, or e-mail.

SECTION 3. Effective date: September 1, 2021.