

Amend HB 1737 (house committee printing) as follows:

(1) On page 1, strike lines 7 through 17 and substitute the following:

SECTION 1. Section 411.0716(b), Government Code, is amended to read as follows:

(b) Section 411.072 applies only to a person described by Subsection (a) of that section who receives a discharge and dismissal under Article 42A.111, Code of Criminal Procedure, on or after January [~~September~~] 1, 1993 [~~2017~~].

(2) On page 3, line 3, between "(1)" and "review", insert "electronically".

(3) On page 3, line 13, between "of" and "identifying", insert "electronically".

(4) On page 3, lines 14 and 15, strike "or applicable court".

(5) On page 3, line 18, strike "court".

(6) On page 4, line 3, between "person," and "the court", insert "or if a court receives a proposed order under Article 42A.106(c), Code of Criminal Procedure, applicable to the person,".

(7) On page 4, line 4, between "notice" and the underlined comma, insert "or proposed order".

(8) On page 4, between lines 21 and 22, insert the following:

(d-1) This subsection applies only to the issuance of an order of nondisclosure of criminal history record information under this section pursuant to notice received by the court under Subsection (b) for an offense for which the person received a discharge and dismissal under Article 42A.111, Code of Criminal Procedure, before July 1, 2024. Notwithstanding Subsection (d), a court shall issue an order of nondisclosure of criminal history record information under that subsection not later than the later of the 180th day after the date on which the court first received the notice under Subsection (b) or:

(1) July 1, 2025, if the person received a discharge and dismissal under Article 42A.111, Code of Criminal Procedure, for the offense on or after September 1, 2017;

(2) December 31, 2025, if the person received a

discharge and dismissal under Article 42A.111, Code of Criminal Procedure, for the offense on or after January 1, 2010, but before September 1, 2017;

(3) December 31, 2026, if the person received a discharge and dismissal under Article 42A.111, Code of Criminal Procedure, for the offense on or after January 1, 2000, but before January 1, 2010; or

(4) December 31, 2027, if the person received a discharge and dismissal under Article 42A.111, Code of Criminal Procedure, for the offense before January 1, 2000.

(d-2) For purposes of Subsection (d-1) and Section 411.0716(b), a person to whose records Subsection (c) applies is considered to have received a discharge and dismissal under Article 42A.111, Code of Criminal Procedure, on the date described by Subsection (c)(2).

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

SECTION _____. The heading to Article 42A.106, Code of Criminal Procedure, is amended to read as follows:

Art. 42A.106. RECORD NOT CONFIDENTIAL; RIGHT TO PETITION FOR ORDER OF NONDISCLOSURE; PROPOSED ORDER OF NONDISCLOSURE IN CERTAIN CASES.

SECTION _____. Article 42A.106, Code of Criminal Procedure, is amended by adding Subsection (c) to read as follows:

(c) On completion of the period of deferred adjudication community supervision, if the defendant is entitled to receive an order of nondisclosure of criminal history record information under Section 411.072, Government Code, the defendant's supervision officer shall prepare and present to the court that placed the defendant on deferred adjudication community supervision, or, if jurisdiction was transferred under Article 42A.151, the court that accepted jurisdiction of the case, a proposed order of nondisclosure related to the offense giving rise to the deferred adjudication community supervision.

SECTION _____. (a) Article 42A.106(c), Code of Criminal Procedure, as added by this Act, applies to a person who completes the period of deferred adjudication community supervision on or

after the effective date of this Act, regardless of whether the person was placed on deferred adjudication community supervision before, on, or after the effective date of this Act.

(b) Notwithstanding Section 411.072(b), Government Code, as amended by this Act, the Department of Public Safety is not required to comply with the requirements of that subsection until July 1, 2024.