88R1330 JRR-D

By:  Thompson of Harris, Sherman, Sr., Garcia H.B. No. 392

A BILL TO BE ENTITLED

AN ACT

relating to the date on which certain persons placed on deferred adjudication community supervision are eligible to file a petition for an order of nondisclosure of criminal history record information.

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

SECTION 1.  Section 411.0725(e), Government Code, is amended to read as follows:

(e)  A person may petition the court that placed the person on deferred adjudication community supervision for an order of nondisclosure of criminal history record information under this section only on or after:

(1)  the discharge and dismissal, if the offense for which the person was placed on deferred adjudication was a misdemeanor other than a misdemeanor described by Subdivision (2)(A) [~~(2)~~];

(2)  the first [~~second~~] anniversary of the discharge and dismissal, if the offense for which the person was placed on deferred adjudication was:

(A)  a misdemeanor under Chapter 20, 21, 22, 25, 42, 43, or 46, Penal Code; or

(B)  a state jail felony listed in Article 42A.551(a), Code of Criminal Procedure; or

(3)  the third [~~fifth~~] anniversary of the discharge and dismissal, if the offense for which the person was placed on deferred adjudication was a felony other than a state jail felony described by Subdivision (2)(B).

SECTION 2.  This Act takes effect September 1, 2023.