

By: Lopez of Bexar

H.B. No. 5201

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the operation and administration of practice and  
3 procedure related to proceedings in the judicial branch of state  
4 government.

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

6 SECTION 1. Section 124.001(b), Government Code, is amended  
7 to read as follows:

8 (b) If a defendant who was arrested for or charged with,  
9 convicted of, or placed on deferred adjudication community  
10 supervision for any misdemeanor or felony offense successfully  
11 completes a veterans treatment court program, after notice to, and  
12 agreement of, the attorney representing the state and a hearing in  
13 the veterans treatment court at which that court determines that a  
14 dismissal is in the best interest of justice, for any justice  
15 involved event, the veterans treatment court shall provide to the  
16 court in which the criminal case is pending information about the  
17 dismissal and shall include all of the information required about  
18 the defendant for a petition for expunction under Section 2(b),  
19 Article 55.02, Code of Criminal Procedure. The court in which the  
20 criminal case is pending shall dismiss the case against the  
21 defendant and:

22 (1) if that trial court is a district court, the court  
23 may, with the consent of the attorney representing the state, enter  
24 an order of expunction on behalf of the defendant under Section

1 1a(a-1), Article 55.02, Code of Criminal Procedure; or

2 (2) if that trial court is not a district court, the  
3 court may, with the consent of the attorney representing the state,  
4 forward the appropriate dismissal and expunction information to  
5 enable a district court with jurisdiction to enter an order of  
6 expunction on behalf of the defendant under Section 1a(a-1),  
7 Article 55.02, Code of Criminal Procedure.

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