

## **BILL ANALYSIS**

H.B. 1820  
By: Bowers  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, individuals must wait specific time periods before becoming eligible to have their arrest records expunged, even when a grand jury has determined there is insufficient evidence to support probable cause that they committed the alleged offense. The bill author has informed the committee that these waiting periods for cases in which an indictment or information is not presented, ranging from 180 days for charges punishable as a Class C misdemeanor to three years for felony charges, can create significant barriers for individuals seeking employment, housing, or education opportunities. H.B. 1820 addresses this issue by eliminating unnecessary waiting periods in cases where a grand jury fails to find that probable cause exists to believe the alleged offense was committed, thereby allowing innocent individuals to move forward with their lives without the burden of an unwarranted arrest record.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1820 amends the Code of Criminal Procedure to entitle a person who has been placed under arrest to the expunction of all records and files relating to the arrest under the following circumstances:

- the person has been released, the applicable criminal charge has not resulted in a final conviction and is no longer pending, and there was no court-ordered community supervision for the offense other than for a Class C misdemeanor; and
- the indictment or information charging the person was not presented solely because the grand jury failed to find that probable cause exists to believe the person committed the offense.

The bill applies to the expunction of arrest records and files for any criminal offense that occurred before, on, or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2025.