

BILL ANALYSIS

H.B. 1822
By: Bowers
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that the ultimate goal of the Texas juvenile justice system is rehabilitation, which is often difficult to accomplish in a limited period of time. The bill author has additionally informed the committee that limited options for the court in these instances can create unintended negative results for youth, many of whom have experienced severe trauma, mental health issues, and behavioral issues that require therapy, counseling, and guidance. The bill author has further informed the committee that for youth saddled with adult criminal records, the collateral consequences of their record can be worse than confinement or probation. H.B. 1822 seeks to address these issues by allowing juvenile courts to retain jurisdiction for longer in certain proceedings and giving those courts additional tools to reduce the justice system's impact on juveniles.

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. 1822 amends the Family Code to establish that a juvenile court retains jurisdiction over a person, without regard to their age, who is a respondent in an adjudication proceeding, a disposition proceeding, a proceeding to modify disposition, a proceeding for waiver of jurisdiction and transfer to criminal court, or a motion for transfer of determinate sentence probation to an appropriate district court if, among the other requisite conditions, the juvenile court enters a finding in the proceeding that the proceeding has been delayed through no fault of the state.

H.B. 1822 authorizes a juvenile court to order the sealing of a person's records who was placed on determinate sentence probation if the person meets the following criteria:

- was not committed to the Texas Juvenile Justice Department (TJJD) for delinquent conduct that included offenses eligible for a determinate sentence, habitual felony conduct, or felony delinquent conduct for which the person was placed on probation;
- was not transferred to an appropriate district court; and
- has been discharged from the sentence of probation.

The bill clarifies that a juvenile court may not order the sealing of records of a person who was committed without a determinate sentence to TJJD or to a post-adjudication secure correctional facility under an expired statutory provision, unless the person has been discharged from the agency to which the person was committed.

H.B. 1822 applies only to conduct violating a Texas penal law that occurs on or after the bill's effective date. Conduct violating such a penal law that occurs before the bill's effective date is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose. For these purposes, conduct occurred before the bill's effective date if any element of the conduct occurred before that date.

EFFECTIVE DATE

September 1, 2025.