

By: Canales

H.B. No. 3477

A BILL TO BE ENTITLED

AN ACT

relating to the expunction of all records and files related to a finding of criminal contempt by a court.

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

SECTION 1. Subchapter A, Chapter 55A, Code of Criminal Procedure, is amended by adding Article 55A.007 to read as follows:

Art. 55A.007. CRIMINAL CONTEMPT. (a) Notwithstanding the limitation provided by Article 55A.001, a person who has been found in criminal contempt is entitled to the expunction of all records and files related to the contempt if a period of not less than 40 years has passed since the date on which the person was found in contempt.

(b) For purposes of Subchapters F through J, a reference to "arrest" includes the taking into custody of a person found in criminal contempt.

SECTION 2. Article 55A.251, Code of Criminal Procedure, is amended to read as follows:

Art. 55A.251. FILING OF PETITION. (a) A person who is entitled to expunction of records and files under Article 55A.002, 55A.004, or 55A.005 or Subchapter B, or a person who is eligible for expunction of records and files under Article 55A.101, may, subject to Article 55A.252, file an ex parte petition for expunction in a district court for the county in which:

(1) the petitioner was arrested; or

1 (2) the offense was alleged to have occurred.

2 (b) A person who is entitled to expunction of records and
3 files under Article 55A.007 may file an ex parte petition for
4 expunction in the court that found the person in contempt.

5 SECTION 3. Article 55A.257, Code of Criminal Procedure, is
6 amended to read as follows:

7 Art. 55A.257. DEPARTMENT OF PUBLIC SAFETY MAY FILE PETITION
8 ON PERSON'S BEHALF. The director of the Department of Public Safety
9 or the director's authorized representative may file on behalf of a
10 person described by Article 55A.251(a) [~~55A.251~~] or 55A.256 an ex
11 parte petition for expunction in a district court for the county in
12 which:

13 (1) the person was arrested; or

14 (2) the offense was alleged to have occurred.

15 SECTION 4. This Act applies to an expunction of arrest
16 records and files relating to a finding of criminal contempt that
17 occurred before, on, or after the effective date of this Act.

18 SECTION 5. This Act takes effect September 1, 2025.