By: Bowers H.B. No. 982

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of a juvenile court over certain persons and to the sealing and nondisclosure of certain juvenile records.

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

SECTION 1. Section 51.0412, Family Code, is amended to read as follows:

Sec. 51.0412. JURISDICTION OVER INCOMPLETE PROCEEDINGS. The court retains jurisdiction over a person, without regard to the age of the person, 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 under Section 54.02(a), or a motion for transfer of determinate sentence probation to an appropriate district court if:

(1) the petition or motion was filed while the respondent was younger than 18 or 19 years of age, as applicable;

(2) the proceeding is not complete before the respondent becomes 18 or 19 years of age, as applicable; and

(3) the court enters a finding in the proceeding that:

(A) the prosecuting attorney exercised due diligence in an attempt to complete the proceeding before the respondent became 18 or 19 years of age, as applicable; or

(B) the proceeding has been delayed through no

fault of the state.

SECTION 2. Section 58.256, Family Code, is amended by amending Subsection (d) and adding Subsection (d-1) to read as follows:

(d) A court may not order the sealing of the records of a person who:

(1) except as provided by Subsection (d-1), received a determinate sentence for engaging in:

(A) delinquent conduct that violated a penal law listed under Section 53.045; or

(B) habitual felony conduct as described by Section 51.031;

(2) is currently required to register as a sex offender under Chapter 62, Code of Criminal Procedure; or

(3) was committed without a determinate sentence to the Texas Juvenile Justice Department or to a post-adjudication secure correctional facility under former Section 54.04011, unless the person has been discharged from the agency to which the person was committed.

(d-1) A court may order the sealing of the records of a person who was placed on determinate sentence probation under Section 54.04(q) if the person:

(1) was not committed to the Texas Juvenile Justice Department under Section 54.04(d)(3), 54.04(m), or 54.05(f) for the conduct for which the person was placed on probation;

(2) was not transferred to an appropriate district court under Section 54.051; and

(3) has been discharged from the sentence of probation.

SECTION 3. The changes in law made by this Act apply only to conduct violating a penal law of this state that occurs on or after the effective date of this Act. Conduct violating a penal law of this state that occurs before the effective date of this Act 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 purposes of this section, conduct occurred before the effective date of this Act if any element of the conduct occurred before that date.

SECTION 4. This Act takes effect September 1, 2027.