By: Miles S.B. No. 410

A BILL TO BE ENTITLED

AN ACT

relating to the expunction of records and files related to conduct constituting a misdemeanor offense engaged in by a child.

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

SECTION 1. The heading to Subchapter C-1, Chapter 58, Family Code, is amended to read as follows:

SUBCHAPTER C-1. SEALING, EXPUNCTION, AND DESTRUCTION OF JUVENILE RECORDS

SECTION 2. Subchapter C-1, Chapter 58, Family Code, is amended by adding Section 58.2645 to read as follows:

Sec. 58.2645. EXPUNCTION OF CERTAIN RECORDS. (a) Notwithstanding any other law, a person who was adjudicated by a juvenile court for conduct constituting a misdemeanor may on or after the person's 18th birthday apply to the juvenile court to have the adjudication expunged.

(b) Not later than the 30th day after the date a juvenile court receives an application for expunction under Subsection (a), the juvenile court shall issue an order of expunction.

(c) The Texas Juvenile Justice Department by rule shall establish the application process for expunction under this section.

SECTION 3. Section 58.265, Family Code, is amended to read as follows:

Sec. 58.265. JUVENILE RECORDS NOT SUBJECT TO EXPUNCTION.

Except as provided by Section 58.2645, records [~~Records~~] to which this chapter applies are not subject to an order of expunction issued by any court.

SECTION 4. As soon as practicable after the effective date of this Act, the Texas Juvenile Justice Department shall establish the application process described by Section 58.2645, Family Code, as added by this Act.

SECTION 5. The changes in law made by this Act apply to the expunction of records and files relating to conduct constituting a misdemeanor offense regardless of whether the offense occurred before, on, or after the effective date of this Act.

SECTION 6. This Act takes effect September 1, 2027.