

- SUBJECT:** Allowing attorneys for the state to apply for expunctions
- COMMITTEE:** Criminal Jurisprudence — committee substitute recommended
- VOTE:** 7 ayes — Moody, Hunter, Canales, Gervin-Hawkins, Hefner, Lang, Wilson
0 nays
- WITNESSES:** For — Vincent Giardino, Tarrant County Criminal District Attorney's Office; (*Registered, but did not testify*: Nicholas Hudson, American Civil Liberties Union of Texas; Hetty Borinstein and Chas Moore, Austin Justice Coalition; Kathryn Freeman, Christian Life Commission; Reginald Smith, Communities for Recovery; Latosha Taylor, Grassroots Leadership; Darwin Hamilton and Lauren Johnson, Reentry Advocacy Project; Mary Mergler, Texas Appleseed; Shea Place, Texas Criminal Defense Lawyers Association; Kathy Mitchell, Texas Criminal Justice Coalition; Yannis Banks, Texas NAACP; Haley Holik and Marc Levin, Texas Public Policy Foundation; Teresa Dozier; Karen Gentry; Lauren Oertel; Thomas Parkinson)

Against — None
- BACKGROUND:** Code of Criminal Procedure, art. 55.02 allows an acquitted person to petition the trial court for an expunction. Some have suggested this places an administrative burdens on acquitted persons in seeking such an order.
- DIGEST:** CSHB 557 would allow the attorney for the state to apply for an expunction on behalf and with the consent of the person acquitted.

The bill would take effect September 1, 2017, and would only apply to expunctions for offenses for which the trial began on or after that date.
- NOTES:** A companion bill, SB 325 by Burton, was approved by the Senate on April 3 and referred to the House Criminal Jurisprudence Committee on April 18.