

SUBJECT: Sealing children's criminal records containing certain misdemeanors

COMMITTEE: Juvenile Justice and Family Issues — favorable, without amendment

VOTE: 7 ayes — Dutton, Bowers, Calanni, Cyrier, Dean, Lopez, Talarico

0 nays

2 absent — Murr, Shine

WITNESSES: For — (*Registered, but did not testify*: Melissa Shannon, Bexar County Commissioners Court; Jason Sabo, Children at Risk; Samantha Smothermon, Texas Criminal Justice Coalition; Monty Wynn, Texas Municipal League; Kyle Ward, Texas PTA)

Against — None

BACKGROUND: Interested parties note that certain statutes in the Code of Criminal Procedure regarding when children's records can be sealed for fine-only misdemeanors other than traffic offenses contain unnecessary and repeated language.

DIGEST: HB 3647 would state that all records, files, and information relating to children who were charged with, convicted of, found not guilty of, had a charge dismissed for, or were granted deferred disposition for fine-only misdemeanors other than traffic offenses were confidential. The bill would make certain exceptions that would provide the information to judges and court staff, criminal justice agencies, the Department of Public Safety, schools, attorneys, and parents, guardians, or managing conservators.

The bill would take effect September 1, 2019.