

BILL ANALYSIS

Senate Research Center
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S.B. 422
By: Harris
Jurisprudence
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As Filed

DIGEST

Currently, Section 58.003, Family Code, provides extensive procedures for sealing a juvenile record. Nevertheless, no procedure exists on how soon records should be sent to the court and with what procedure an agency should follow if insufficient information exists to seal the record. S.B. 422 would require records and their related indexes to be sealed within 61 days of the request, and requires the court to notify, within 61 days, the appropriate individuals of the inability to seal the records because of insufficient information.

PURPOSE

As proposed, S.B. 422 requires records and their related indexes sealed within 61 days of the request, or notification within 61 days to certain individuals of the inability to seal the record because of insufficient information.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 58.003, Family Code, by amending Subsection (g) and adding Subsection (o), to require certain records ordered sealed to be sent, before the 61st day after the date the order is received, to the court issuing the order. Requires all index references to the sealed records to be deleted before the 61st day, and verification of the deletion to be sent to the court issuing the order. Requires an agency which seals the records to notify the court issuing the order to seal the records that insufficient information exists to seal the record within 61 days of the date of the order, at which time the court shall notify within 61 days the person requesting the sealed records that insufficient information exists. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.
 Makes application of this Act prospective.

SECTION 3. Emergency clause.