

BILL ANALYSIS

Senate Research Center
78R12074 PEP-D

C.S.S.B. 987
By: Armbrister
Criminal Justice
4/25/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Under current Texas law, there are certain procedures and criteria for the expunction of criminal records. C.S.S.B. 987 allows for the expunction of the record of certain misdemeanor offenses under certain conditions. This bill also provides that expunction provisions do not apply if the offense is committed against a member of the person's family or household.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 55.01, Code of Criminal Procedure, by adding Subsection (e) to require a district court to expunge under the procedure established under Article 55.02 (Procedure for Expunction) all records and files relating to the arrest of a person for the commission of an offense punishable as a misdemeanor, other than a misdemeanor described by Subdivision (2), if certain conditions apply. Subdivision (2) provides that this subsection does not apply to a misdemeanor under Section 22.01, Penal Code (Assault), committed against a member of the person's family or household.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2003.