

1-1 By: Zaffirini S.B. No. 47
 1-2 (In the Senate - Filed November 14, 2016; January 24, 2017,
 1-3 read first time and referred to Committee on Criminal Justice;
 1-4 April 26, 2017, reported favorably by the following vote: Yeas 7,
 1-5 Nays 1; April 26, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7	X			
1-8				
1-9		X		
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to a study on the availability of information regarding
 1-20 convictions and deferred dispositions for certain misdemeanors
 1-21 punishable by fine only.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. (a) The Office of Court Administration of the
 1-24 Texas Judicial System shall conduct a study on how records
 1-25 regarding misdemeanors punishable by fine only, other than traffic
 1-26 offenses, are held in different Texas counties.

1-27 (b) The study must address, with respect to each county:

1-28 (1) the public availability of conviction records for
 1-29 misdemeanors punishable by fine only;

1-30 (2) the public availability of records relating to
 1-31 suspension of sentence and deferral of final disposition under
 1-32 Article 45.051, Code of Criminal Procedure, for misdemeanors
 1-33 punishable by fine only;

1-34 (3) the public availability of records described by
 1-35 Subdivision (1) or (2) of this subsection that are related to a
 1-36 child younger than 18 years of age;

1-37 (4) whether public access to and availability of
 1-38 records described by Subdivisions (1)-(3) of this subsection have
 1-39 been expanded or restricted by the county over time;

1-40 (5) whether local agencies holding records described
 1-41 by Subdivisions (1)-(3) of this subsection destroy those records;

1-42 (6) the reasons and criteria for any destruction of
 1-43 records described by Subdivisions (1)-(3) of this subsection; and

1-44 (7) the retention schedule of each local agency
 1-45 holding records described by Subdivisions (1)-(3) of this
 1-46 subsection, if the agency routinely destroys those records.

1-47 (c) Not later than January 1, 2019, the Office of Court
 1-48 Administration shall issue a report on the study required under
 1-49 this section to the lieutenant governor, the speaker of the house of
 1-50 representatives, and the appropriate standing committees of the
 1-51 house of representatives and the senate.

1-52 (d) This section expires September 1, 2019.

1-53 SECTION 2. This Act takes effect immediately if it receives
 1-54 a vote of two-thirds of all the members elected to each house, as
 1-55 provided by Section 39, Article III, Texas Constitution. If this
 1-56 Act does not receive the vote necessary for immediate effect, this
 1-57 Act takes effect September 1, 2017.

1-58 * * * * *