

1-1 By: Rose (Senate Sponsor - Blanco) H.B. No. 193
1-2 (In the Senate - Received from the House April 27, 2021;
1-3 May 14, 2021, read first time and referred to Committee on
1-4 Jurisprudence; May 21, 2021, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 21, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			

1-13 A BILL TO BE ENTITLED
1-14 AN ACT

1-15 relating to juvenile court records of victims of sex trafficking.
1-16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-17 SECTION 1. Chapter 54, Family Code, is amended by adding
1-18 Section 54.12 to read as follows:
1-19 Sec. 54.12. TRAFFICKING VICTIM FINDING. (a) This section
1-20 applies to a child who was referred to a juvenile probation
1-21 department and whose records include conduct:
1-22 (1) that constitutes an offense under Section
1-23 43.02(a), Penal Code; and
1-24 (2) for which the defense under Section 43.02(d),
1-25 Penal Code, applies.
1-26 (b) If applicable, the court shall enter a finding in the
1-27 case of a child to whom this section applies stating that the child
1-28 is a victim of trafficking.
1-29 SECTION 2. Subchapter C-1, Chapter 58, Family Code, is
1-30 amended by adding Section 58.2552 to read as follows:
1-31 Sec. 58.2552. SEALING RECORDS WITH OR WITHOUT APPLICATION:
1-32 TRAFFICKING VICTIM. (a) If a juvenile court enters a finding that a
1-33 child is a victim of trafficking under Section 54.12, the court, on
1-34 the court's own motion and without a hearing, shall immediately
1-35 order the sealing of all records of the child that are related to
1-36 the conduct described under that section.
1-37 (b) Notwithstanding Subsection (a), a child who is entitled
1-38 to have records sealed under that subsection may file an
1-39 application for the sealing of records related to the child's
1-40 applicable conduct in the juvenile court served by the juvenile
1-41 probation department to which the child was referred. The court may
1-42 not charge a fee for filing the application, regardless of the form
1-43 of the application. An application filed under this subsection
1-44 must include the information required under Section 58.256(b).
1-45 (c) On receipt of an application under Subsection (b), the
1-46 court shall immediately order the sealing of the child's records
1-47 related to the applicable conduct without a hearing.
1-48 SECTION 3. This Act applies to juvenile court records
1-49 created before, on, or after the effective date of this Act.
1-50 SECTION 4. This Act takes effect September 1, 2021.

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