

BILL ANALYSIS

H.B. 1452
By: Thompson, Senfronia
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that an order of nondisclosure of criminal history record information offers rehabilitated individuals the chance to put a criminal past behind them. Concerns have been raised regarding the amount of time that is required to pass before certain individuals placed on deferred adjudication community supervision are eligible to file a petition for such an order. H.B. 1452 seeks to address this issue by shortening the requisite waiting period to file a petition for such an order of nondisclosure.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1452 amends the Government Code to change the earliest date on which a person may petition the court that placed the person on deferred adjudication community supervision for an order of nondisclosure of criminal history record information related to the offense giving rise to the deferred adjudication from the fifth anniversary of the discharge and dismissal to the third such anniversary if the offense for which the person was placed on deferred adjudication was a felony and from the second anniversary of the discharge and dismissal to the first such anniversary if the offense for which the person was placed on deferred adjudication was one of the following misdemeanor offenses: kidnapping, unlawful restraint, or smuggling of persons; sexual offense; assaultive offense; offense against the family; disorderly conduct or related offense; public indecency offense; or weapons offense.

EFFECTIVE DATE

September 1, 2019.