

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 4003
By: Laubenberg (Taylor, Van)
State Affairs
5/14/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Juvenile Justice Information System consists of information relating to delinquent conduct committed by juvenile offenders. Records required to be retained include information relating to the prosecution of the juvenile offender and the conduct for which the juvenile offender was taken into custody, detained, or referred, including level and degree of the alleged offense. Often, in the prosecution or description of the offense information about the victim of the juvenile's delinquent conduct is disclosed. Juvenile victims of another juvenile's delinquent conduct should not be subject to further inconvenience or have information about their victimization subject to public disclosure. H.B. 4003 amends the Family Code to require that the custodian of any juvenile court record or other file within the juvenile justice system redact any personally identifiable information about a victim who was a legal minor at the time of the offense. This change ensures that the names of juvenile victims, such as those subject to bullying, are not subject to public disclosure. (Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 4003 amends current law relating to the redaction of personally identifiable information of victims from juvenile court records.

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 Subchapter A, Chapter 58, Family Code, by adding Section 58.004, as follows:

Sec. 58.004. REDACTION OF VICTIM'S PERSONALLY IDENTIFIABLE INFORMATION. (a) Requires the custodian of the record or file, notwithstanding any other law, before disclosing any juvenile court record or file of a child as authorized by this chapter or other law, to redact any personally identifiable information about a victim of the child's delinquent conduct or conduct indicating a need for supervision who was under 18 years of age on the date the conduct occurred.

(b) Provides that this section does not apply to information that is:

- (1) necessary for an agency to provide services to the victim;
- (2) necessary for law enforcement purposes; or
- (3) shared within the statewide juvenile information and case management system established under Subchapter E (Records; Juvenile Justice Information System).

SECTION 2. Provides that this Act applies to information and documents relating to juvenile court cases without regard to whether the conduct that is the basis of the case occurred before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2015.