

## **JUVENILE RECORDS APPENDICES**

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## **JUVENILE EXPUNCTION AND NON-DISCLOSURE**

### **APPENDIX 1**

Texas Code of Criminal Procedure

Art. 45.0216. EXPUNCTION OF CERTAIN CONVICTION RECORDS OF CHILDREN.

(a) In this article, "child" has the meaning assigned by Section 51.02, Family Code.

(b) A person convicted of not more than one offense described by Section 8.07(a)(4) or (5), Penal Code, while the person was a child may, on or after the person's 17th birthday, apply to the court in which the child was convicted to have the conviction expunged as provided by this article.

(c) The person must make a written request to have the records expunged. The request must be under oath.

(d) The request must contain the person's statement that the person was not convicted while the person was a child of any offense described by Section 8.07(a)(4) or (5), Penal Code, other than the offense the person seeks to have expunged.

(e) The judge shall inform the person and any parent in open court of the person's expunction rights and provide them with a copy of this article.

(f) If the court finds that the person was not convicted of any other offense described by Section 8.07(a)(4) or (5), Penal Code, while the person was a child, the court shall order the conviction, together with all complaints, verdicts, sentences, and prosecutorial and law enforcement records, and any other documents relating to the offense, expunged from the person's record. After entry of the order, the person is released from all disabilities resulting from the conviction and the conviction may not be shown or made known for any purpose.

(g) This article does not apply to any offense otherwise covered by:

- (1) Chapter 106, Alcoholic Beverage Code;
- (2) Chapter 161, Health and Safety Code; or
- (3) Section 25.094, Education Code.

(h) Records of a person under 17 years of age relating to a complaint dismissed as provided by Article 45.051 or 45.052 may be expunged under this article.

(i) The justice or municipal court shall require a person who requests expungement under this article to pay a fee in the amount of \$30 to defray the cost of notifying state agencies of orders of expungement under this article.

(j) The procedures for expunction provided under this article are separate and distinct from the expunction procedures under Chapter 55.

Added by Acts 2001, 77th Leg., ch. 1297, Sec. 50, eff. Sept. 1, 2001. Amended by Acts 2005, 79th Leg., ch. 886, Sec. 2, eff. Sept. 1, 2005.

## APPENDIX 2

Texas Alcoholic Beverage Code  
 § 106.12. EXPUNGEMENT OF CONVICTION OF A MINOR.

(a) Any person convicted of not more than one violation of this code while a minor, on attaining the age of 21 years, may apply to the court in which he was convicted to have the conviction expunged.

(b) The application shall contain the applicant's sworn statement that he was not convicted of any violation of this code while a minor other than the one he seeks to have expunged.

(c) If the court finds that the applicant was not convicted of any other violation of this code while he was a minor, the court shall order the conviction, together with all complaints, verdicts, sentences, and other documents relating to the offense, to be expunged from the applicant's record. After entry of the order, the applicant shall be released from all disabilities resulting from the conviction, and the conviction may not be shown or made known for any purpose.

(d) The court shall charge an applicant a fee in the amount of \$30 for each application for expungement filed under this section to defray the cost of notifying state agencies of orders of expungement under this section.

Acts 1977, 65th Leg., p. 515, ch. 194, § 1, eff. Sept. 1, 1977. Amended by Acts 1981, 67th Leg., p. 258, ch. 107, § 13, eff. Sept. 1, 1981; Acts 1985, 69th Leg., ch. 285, § 11, eff. Sept. 1, 1986; Acts 1985, 69th Leg., ch. 462, § 12, eff. Sept. 1, 1986; Acts 2005, 79th Leg., ch. 886, § 1, eff. Sept. 1, 2005.

## APPENDIX 3

Texas Health and Safety Code  
 § 161.255. EXPUNGEMENT OF CONVICTION.

(a) An individual convicted of an offense under Section 161.252 may apply to the court to have the conviction expunged. If the court finds that the individual satisfactorily completed the tobacco awareness program or tobacco-related community service ordered by the court, the court shall order the conviction and any complaint, verdict, sentence, or other document relating to the offense to be expunged from the individual's record and the conviction may not be shown or made known for any purpose.

(b) The court shall charge an applicant a fee in the amount of \$30 for each application for expungement filed under this section to defray the cost of notifying state agencies of orders of expungement under this section.

Added by Acts 1997, 75th Leg., ch. 671, § 3.01, eff. Jan. 1, 1998. Amended by Acts 2005, 79th Leg., ch. 886, § 5, eff. Sept. 1, 2005.

## APPENDIX 4

Code of Criminal Procedure  
 Art. 45.055. EXPUNCTION OF CONVICTION AND RECORDS IN FAILURE TO ATTEND SCHOOL CASES.

(a) An individual convicted of not more than one violation of Section 25.094, Education Code, may, on or after the individual's 18th birthday, apply to the court in which the individual was convicted to have the conviction and records relating to the conviction expunged.

(b) To apply for an expunction, the applicant must submit a written request that:

- (1) is made under oath;
- (2) states that the applicant has not been convicted of more than one violation of Section 25.094, Education Code; and
- (3) is in the form determined by the applicant.

(c) The court may expunge the conviction and records relating to the conviction without a hearing or, if facts are in doubt, may order a hearing on the application. If the court finds that the applicant has not been convicted of more than one violation of Section 25.094, Education Code, the court shall order the conviction, together with all complaints, verdicts, sentences, and other documents relating to the offense, including any documents in the possession of a school district or law enforcement agency, to be expunged from the applicant's record. After entry of the order, the applicant is released from all disabilities resulting from the conviction, and the conviction may not be shown or made known for any purpose. The court shall inform the applicant of the court's decision on the application.

(d) The court shall require an individual who files an application under this article to pay a fee in the amount of \$30 to defray the cost of notifying state agencies of orders of expunction under this article.

Added by Acts 2001, 77th Leg., ch. 1514, Sec. 9, eff. Sept. 1, 2001. Subsec. (d) amended by Acts 2003, 78th Leg., ch. 137, Sec. 15, eff. Sept. 1, 2003; Subsec. (d) amended by Acts 2005, 79th Leg., ch. 886, Sec. 3, eff. Sept. 1, 2005.

## **APPENDIX 5**

### **TEXAS CODE OF CRIMINAL PROCEDURE - CHAPTER 55. EXPUNCTION OF CRIMINAL RECORDS**

Art. 55.01. RIGHT TO EXPUNCTION. (a) A person who has been placed under a custodial or noncustodial arrest for commission of either a felony or misdemeanor is entitled to have all records and files relating to the arrest expunged if:

- (1) the person is tried for the offense for which the person was arrested and is:
  - (A) acquitted by the trial court, except as provided by Subsection (c) of this section; or
  - (B) convicted and subsequently pardoned; or
- (2) each of the following conditions exist:

(A) an indictment or information charging the person with commission of a felony has not been presented against the person for an offense arising out of the transaction for which the person was arrested or, if an indictment or information charging the person with commission of a felony was presented, the indictment or information has been dismissed or quashed, and:

(i) the limitations period expired before the date on which a petition for expunction was filed under Article 55.02; or

(ii) the court finds that the indictment or information was dismissed or quashed because the presentment had been made because of mistake, false information, or other similar reason indicating absence of probable cause at the time of the dismissal to believe the person committed the offense or because it was void;

(B) the person has been released and the charge, if any, has not resulted in a final conviction and is no longer pending and there was no court ordered community supervision under Article 42.12 for any offense other than a Class C misdemeanor; and

(C) the person has not been convicted of a felony in the five years preceding the date of the arrest.

(a-1) Notwithstanding Subsection (a)(2)(C), a person's conviction of a felony in the five years preceding the date of the arrest does not affect the person's entitlement to expunction for purposes of an ex parte petition filed on behalf of the person by the director of the Department of Public Safety under Section 2(e), Article 55.02.

(b) Except as provided by Subsection (c) of this section, a district court may expunge all records and files relating to the arrest of a person who has been arrested for commission of a felony or misdemeanor under the procedure established under Article 55.02 of this code if the person is:

- (1) tried for the offense for which the person was arrested;
- (2) convicted of the offense; and
- (3) acquitted by the court of criminal appeals.

(c) A court may not order the expunction of records and files relating to an arrest for an offense for which a person is subsequently acquitted, whether by the trial court or the court of criminal appeals, if the offense for which the person was acquitted arose out of a criminal episode, as defined by Section 3.01, Penal Code, and the person was convicted of or remains subject to prosecution for at least one other offense occurring during the criminal episode.

(d) A person is entitled to have any information that identifies the person, including the person's name, address, date of birth, driver's license number, and social security number, contained in records and files relating to the arrest of another person expunged if:

(1) the information identifying the person asserting the entitlement to expunction was falsely given by the person arrested as the arrested person's identifying information without the consent of the person asserting the entitlement; and

(2) the only reason for the information identifying the person asserting the entitlement being contained in the arrest records and files of the person arrested is that the information was falsely given by the person arrested as the arrested person's identifying information.

Added by Acts 1977, 65th Leg., p. 1880, ch. 747, Sec. 1, eff. Aug. 29, 1977.

Amended by Acts 1979, 66th Leg., p. 1333, ch. 604, Sec. 1, eff. Aug. 27, 1979; Acts 1989, 71st Leg., ch. 803, Sec. 1, eff. Sept. 1, 1989; Subsec. (2) amended by Acts 1991, 72nd Leg., ch. 14, Sec. 284(53), eff. Sept. 1, 1991. Amended by Acts 1993, 73rd Leg., ch. 900, Sec. 7.02(a), eff. Sept. 1, 1993; Acts 1999, 76th Leg., ch. 1236, Sec. 1, eff. Aug. 30, 1999; Subsec. (a) amended by Acts 2001, 77th Leg., ch. 1021, Sec. 1, eff. Sept. 1, 2001; Subsec. (d) added by Acts 2001, 77th Leg., ch. 945, Sec. 1, eff. June 14, 2001; Subsec. (a) amended by Acts 2003, 78th Leg., ch. 1236, Sec. 1, eff. Sept. 1, 2003.

Amended by: Acts 2005, 79th Leg., Ch. [1309](#), Sec. 1, eff. September 1, 2005.

#### Art. 55.02. PROCEDURE FOR EXPUNCTION.

Sec. 1. At the request of the defendant and after notice to the state, the trial court presiding over the case in which the defendant was acquitted, if the trial court is a district court, or a district court in the county in which the trial court is located shall enter an order of expunction for a person entitled to expunction under article 55.01(a)(1)(a) not later than the 30th day after the date of the acquittal. Upon acquittal, the trial court shall advise the defendant of the right to expunction. The defendant shall provide to the district court all of the information required in a petition for expunction under Section 2(b). The attorney for the defendant in the case in which the defendant was acquitted, if the defendant was represented by counsel, or the attorney for the state, if the defendant was not represented by counsel, shall prepare the order for the court's signature.

Sec. 2. (a) A person who is entitled to expunction of records and files under Article 55.01(a) or a person who is eligible for expunction of records and files under Article 55.01(b) may file an ex parte petition for expunction in a district court for the county in which:

- (1) the petitioner was arrested; or
- (2) the offense was alleged to have occurred.

(b) The petition must be verified and shall include the following or an explanation for why one or more of the following is not included:

- (1) the petitioner's:
  - (A) full name;
  - (B) sex;
  - (C) race;
  - (D) date of birth;
  - (E) driver's license number;
  - (F) social security number; and

- (G) address at the time of the arrest;
- (2) the offense charged against the petitioner;
- (3) the date the offense charged against the petitioner was alleged to have been committed;
- (4) the date the petitioner was arrested;
- (5) the name of the county where the petitioner was arrested and if the arrest occurred in a municipality, the name of the municipality;
- (6) the name of the agency that arrested the petitioner;
- (7) the case number and court of offense; and
- (8) a list of all:

(A) law enforcement agencies, jails or other detention facilities, magistrates, courts, prosecuting attorneys, correctional facilities, central state depositories of criminal records, and other officials or agencies or other entities of this state or of any political subdivision of this state;

(B) central federal depositories of criminal records that the petitioner has reason to believe have records or files that are subject to expunction; and

(C) private entities that compile and disseminate for compensation criminal history record information that the petitioner has reason to believe have information related to records or files that are subject to expunction.

(c) The court shall set a hearing on the matter no sooner than thirty days from the filing of the petition and shall give to each official or agency or other governmental entity named in the petition reasonable notice of the hearing by:

- (1) certified mail, return receipt requested; or
- (2) secure electronic mail, electronic transmission, or facsimile transmission.

(c-1) An entity described by Subsection (c) may be represented by the attorney responsible for providing the entity with legal representation in other matters.

(d) If the court finds that the petitioner, or a person for whom an ex parte petition is filed under Subsection (e), is entitled to expunction of any records and files that are the subject of the petition, it shall enter an order directing expunction.

(e) The director of the Department of Public Safety or the director's authorized representative may file on behalf of a person described by Subsection (a) of this section or by Section 2a an ex parte petition for expunction in a district court for the county in which:

- (1) the person was arrested; or
- (2) the offense was alleged to have occurred.

(f) An ex parte petition filed under Subsection (e) must be verified and must include the following or an explanation for why one or more of the following is not included:

- (1) the person's:
  - (A) full name;
  - (B) sex;
  - (C) race;
  - (D) date of birth;
  - (E) driver's license number;
  - (F) social security number; and
  - (G) address at the time of the arrest;
- (2) the offense charged against the person;
- (3) the date the offense charged against the person was alleged to have been committed;
- (4) the date the person was arrested;
- (5) the name of the county where the person was arrested and if the arrest occurred in a municipality, the name of the municipality;
- (6) the name of the agency that arrested the person;
- (7) the case number and court of offense; and
- (8) a list of all:

(A) law enforcement agencies, jails or other detention facilities, magistrates, courts, prosecuting attorneys, correctional facilities, central state depositories of criminal records, and other officials or agencies or other entities of this state or of any political subdivision of this state;

(B) central federal depositories of criminal records that the person has reason to believe have records or files that are subject to expunction; and

(C) private entities that compile and disseminate for compensation criminal history record information that the person has reason to believe have information relating to records or files that are subject to expunction.

Sec. 2a. (a) A person who is entitled to expunction of information contained in records and files under Article 55.01(d) may file an application for expunction with the attorney representing the state in the prosecution of felonies in the county in which the person resides.

(b) The application must be verified, include authenticated fingerprint records of the applicant, and include the following or an explanation for why one or more of the following is not included:

(1) the applicant's full name, sex, race, date of birth, driver's license number, social security number, and address at the time the person who falsely identified himself or herself as the applicant was arrested;

(2) the following information regarding the arrest:

(A) the date of arrest;

(B) the offense charged against the person arrested;

(C) the name of the county or municipality in which the arrest occurred; and

(D) the name of the arresting agency; and

(3) a statement that:

(A) the applicant is not the person arrested and for whom the arrest records and files were created; and

(B) the applicant did not give the person arrested consent to falsely identify himself or herself as the applicant.

(c) After verifying the allegations in an application received under Subsection (a), the attorney representing the state shall:

(1) include on the application information regarding the arrest that was requested of the applicant but was unknown by the applicant;

(2) forward a copy of the application to the district court for the county;

(3) attach to the copy a list of all:

(A) law enforcement agencies, jails or other detention facilities, magistrates, courts, prosecuting attorneys, correctional facilities, central state depositories of criminal records, and other officials or agencies or other entities of this state or of any political subdivision of this state;

(B) central federal depositories of criminal records that are reasonably likely to have records or files containing information that is subject to expunction; and

(C) private entities that compile and disseminate for compensation criminal history record information that are reasonably likely to have records or files containing information that is subject to expunction; and

(4) request the court to enter an order directing expunction based on an entitlement to expunction under Article 55.01(d).

(d) On receipt of a request under Subsection (c), the court shall, without holding a hearing on the matter, enter a final order directing expunction.

Sec. 3. (a) In an order of expunction issued under this article, the court shall require any state agency that sent information concerning the arrest to a central federal depository to request the depository to return all records and files subject to the order of expunction. The person who is the subject of the expunction order or an agency protesting the expunction may appeal the court's decision in the same manner as in other civil cases.

(b) The order of expunction entered by the court shall have attached and incorporate by reference a copy of the judgment of acquittal and shall include:

(1) the following information on the person who is the subject of the expunction order:

(A) full name;

(B) sex;

(C) race;

(D) date of birth;

(E) driver's license number; and

(F) social security number;

(2) the offense charged against the person who is the subject of the expunction order;

(3) the date the person who is the subject of the expunction order was arrested;

(4) the case number and court of offense; and

(5) the tracking incident number (TRN) assigned to the individual incident of arrest under Article 60.07(b)(1) by the Department of Public Safety.

(c) When the order of expunction is final, the clerk of the court shall send a certified copy of the order to the Crime Records Service of the Department of Public Safety and to each official or agency or other governmental entity of this state or of any political subdivision of this state designated by the person who is the subject of the order. The certified copy of the order must be sent by secure electronic mail, electronic transmission, or facsimile transmission or otherwise by certified mail, return receipt requested. In sending the order to a governmental entity designated by the person, the clerk may elect to substitute hand delivery for certified mail under this subsection, but the clerk must receive a receipt for that hand-delivered order.

(c-1) The Department of Public Safety shall notify any central federal depository of criminal records by any means, including secure electronic mail, electronic transmission, or facsimile transmission, of the order with an explanation of the effect of the order and a request that the depository, as appropriate, either:

(1) destroy or return to the court the records in possession of the depository that are subject to the order, including any information with respect to the order; or

(2) comply with Section 5(f) pertaining to information contained in records and files of a person entitled to expunction under Article 55.01(d).

(c-2) The Department of Public Safety shall also provide, by secure electronic mail, electronic transmission, or facsimile transmission, notice of the order to any private entity that is named in the order or that purchases criminal history record information from the department. The notice must include an explanation of the effect of the order and a request that the entity destroy any information in the possession of the entity that is subject to the order. The department may charge to a private entity that purchases criminal history record information from the department a fee in an amount sufficient to recover costs incurred by the department in providing notice under this subsection to the entity.

(d) Any returned receipts received by the clerk from notices of the hearing and copies of the order shall be maintained in the file on the proceedings under this chapter.

Sec. 4. (a) If the state establishes that the person who is the subject of an expunction order is still subject to conviction for an offense arising out of the transaction for which the person was arrested because the statute of limitations has not run and there is reasonable cause to believe that the state may proceed against the person for the offense, the court may provide in its order that the law enforcement agency and the prosecuting attorney responsible for investigating the offense may retain any records and files that are necessary to the investigation. In the case of a person who is the subject of an expunction order on the basis of an acquittal, the court may provide in the expunction order that the law enforcement agency and the prosecuting attorney retain records and files if:

(1) the records and files are necessary to conduct a subsequent investigation and prosecution of a person other than the person who is the subject of the expunction order; or

(2) the state establishes that the records and files are necessary for use in:

(A) another criminal case, including a prosecution, motion to adjudicate or revoke community supervision, parole revocation hearing, mandatory supervision revocation hearing, punishment hearing, or bond hearing; or

(B) a civil case, including a civil suit or suit for possession of or access to a child.

(b) Unless the person who is the subject of the expunction order is again arrested for or charged with an offense arising out of the transaction for which the person was arrested or unless the court provides for the retention of records and files under Subsection (a) of this section, the provisions of Articles 55.03 and 55.04 of this code apply to files and records retained under this section.

Sec. 5. (a) Except as provided by Subsections (f) and (g), on receipt of the order, each official or agency or other governmental entity named in the order shall:

(1) return all records and files that are subject to the expunction order to the court or, if removal is impracticable, obliterate all portions of the record or file that identify the person who is the subject of the order and notify the court of its action; and

(2) delete from its public records all index references to the records and files that are subject to the expunction order.

(b) Except in the case of a person who is the subject of an expunction order on the basis of an acquittal or an expunction order based on an entitlement under Article 55.01(d), the court may give the person who is the subject of the order all records and files returned to it pursuant to its order.

(c) Except in the case of a person who is the subject of an expunction order based on an entitlement under Article 55.01(d) and except as provided by Subsection (g), if an order of expunction is issued under this article, the court records concerning expunction proceedings are not open for inspection by anyone except the person who is the subject of the order unless the order permits retention of a record under Section 4 of this article



and the person is again arrested for or charged with an offense arising out of the transaction for which the person was arrested or unless the court provides for the retention of records and files under Section 4(a) of this article. The clerk of the court issuing the order shall obliterate all public references to the proceeding and maintain the files or other records in an area not open to inspection.

(d) Except in the case of a person who is the subject of an expunction order on the basis of an acquittal or an expunction order based on an entitlement under Article 55.01(d) and except as provided by Subsection (g), the clerk of the court shall destroy all the files or other records maintained under Subsection (c) not earlier than the 60th day after the date the order of expunction is issued or later than the first anniversary of that date unless the records or files were released under Subsection (b).

(d-1) Not later than the 30th day before the date on which the clerk destroys files or other records under Subsection (d), the clerk shall provide notice by mail, electronic mail, or facsimile transmission to the attorney representing the state in the expunction proceeding. If the attorney representing the state in the expunction proceeding objects to the destruction not later than the 20th day after receiving notice under this subsection, the clerk may not destroy the files or other records until the first anniversary of the date the order of expunction is issued or the first business day after that date.

(e) The clerk shall certify to the court the destruction of files or other records under Subsection (d) of this section.

(f) On receipt of an order granting expunction to a person entitled to expunction under Article 55.01(d), each official, agency, or other governmental entity named in the order:

(1) shall:

(A) obliterate all portions of the record or file that identify the petitioner; and

(B) substitute for all obliterated portions of the record or file any available information that identifies the person arrested; and

(2) may not return the record or file or delete index references to the record or file.

(g) Notwithstanding any other provision in this section, an official, agency, court, or other entity may retain receipts, invoices, vouchers, or similar records of financial transactions that arose from the expunction proceeding or prosecution of the underlying criminal cause in accordance with internal financial control procedures. An official, agency, court, or other entity that retains records under this subsection shall obliterate all portions of the record or the file that identify the person who is the subject of the expunction order.

Amended by Acts 1979, 66th Leg., p. 1333, ch. 604, Sec. 1, eff. Aug. 27, 1979; Sec. 1(b) amended by Acts 1989, 71st Leg., ch. 803, Sec. 2, eff. Sept. 1, 1989; Sec. 3(a) amended by Acts 1989, 71st Leg., ch. 803, Sec. 3, eff. Sept. 1, 1989; Sec. 5(d), (e) added by Acts 1989, 71st Leg., ch. 803, Sec. 4, eff. Sept. 1, 1989; Sec. 3(a) amended by Acts 1991, 72nd Leg., ch. 380, Sec. 1, eff. Aug. 26, 1991; Acts 1999, 76th Leg., ch. 1236, Sec. 2, eff. Aug. 30, 1999; Sec. 2(a), (b) amended by and Sec. 2(e) added by Acts 2001, 77th Leg., ch. 945, Sec. 2, eff. June 14, 2001; Sec. 3(c) amended by Acts 2001, 77th Leg., ch. 1021, Sec. 2, eff. Sept. 1, 2001; Sec. 5 amended by Acts 2001, 77th Leg., ch. 945, Sec. 3, eff. June 14, 2001; Sec 1 amended by Acts 2003, 78th Leg., ch. 404, Sec. 1, eff. Sept. 1, 2003; Sec. 2(a) amended by Acts 2003, 78th Leg., ch. 339, Sec. 2, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1236, Sec. 2, eff. Sept. 1, 2003; Sec. 2(e) amended by Acts 2003, 78th Leg., ch. 339, Sec. 7, eff. Sept. 1, 2003; Sec. 2(a) added by Acts 2003, 78th Leg., ch. 339, Sec. 3, eff. Sept. 1, 2003; Sec. 3(a), 3(b) amended by Acts 2003, 78th Leg., ch. 404, Sec. 2, eff. Sept. 1, 2003; Sec. 3(c) amended by Acts 2003, 78th Leg., ch. 339, Sec. 4, eff. Sept. 1, 2003; Sec. 1 amended by Acts 2003, 78th Leg., ch. 404, Sec. 1, eff. Sept. 1, 2003; Sec. 3(a), 3(b) amended by Acts 2003, 78th Leg., ch. 404, Sec. 2, eff. Sept. 1, 2003; Sec. 5(d) amended by Acts 2003, 78th Leg., ch. 1126, Sec. 1, eff. June 20, 2003; Sec. 5(d-1) added by Acts 2003, 78th Leg., ch. 1126, Sec. 1, eff. June 20, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. [177](#), Sec. 1, eff. September 1, 2005.

Acts 2005, 79th Leg., Ch. [177](#), Sec. 2, eff. September 1, 2005.

Acts 2005, 79th Leg., Ch. [728](#), Sec. 4.006, eff. September 1, 2005.

Acts 2005, 79th Leg., Ch. [1309](#), Sec. 2, eff. September 1, 2005.

Acts 2007, 80th Leg., R.S., Ch. [120](#), Sec. 1, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. [1017](#), Sec. 1, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. [1017](#), Sec. 2, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. [1017](#), Sec. 3, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. [1017](#), Sec. 4, eff. September 1, 2007.

Art. 55.03. EFFECT OF EXPUNCTION. When the order of expunction is final:

(1) the release, maintenance, dissemination, or use of the expunged records and files for any purpose is prohibited;

(2) except as provided in Subdivision (3) of this article, the person arrested may deny the occurrence of the arrest and the existence of the expunction order; and

(3) the person arrested or any other person, when questioned under oath in a criminal proceeding about an arrest for which the records have been expunged, may state only that the matter in question has been expunged.

Added by Acts 1977, 65th Leg., p. 1880, ch. 747, Sec. 1, eff. Aug. 29, 1977.

Amended by Acts 1979, 66th Leg., p. 1333, ch. 604, Sec. 1, eff. Aug. 27, 1979; Acts 1999, 76th Leg., ch. 1236, Sec. 3, eff. Aug. 30, 1999; Acts 2001, 77th Leg., ch. 1021, Sec. 3, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 1236, Sec. 3, eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. [790](#), Sec. 1, eff. June 17, 2005.

Acts 2005, 79th Leg., Ch. [919](#), Sec. 1, eff. June 18, 2005.

Art. 55.04. VIOLATION OF EXPUNCTION ORDER.

Sec. 1. A person who acquires knowledge of an arrest while an officer or employee of the state or of any agency or other entity of the state or any political subdivision of the state and who knows of an order expunging the records and files relating to that arrest commits an offense if he knowingly releases, disseminates, or otherwise uses the records or files.

Sec. 2. A person who knowingly fails to return or to obliterate identifying portions of a record or file ordered expunged under this chapter commits an offense.

Sec. 3. An offense under this article is a Class B misdemeanor.

Added by Acts 1977, 65th Leg., p. 1880, ch. 747, Sec. 1, eff. Aug. 29, 1977.

Amended by Acts 1979, 66th Leg., p. 1333, ch. 604, Sec. 1, eff. Aug. 27, 1979.

Art. 55.05. NOTICE OF RIGHT TO EXPUNCTION. On release or discharge of an arrested person, the person responsible for the release or discharge shall give him a written explanation of his rights under this chapter and a copy of the provisions of this chapter.

Added by Acts 1977, 65th Leg., p. 1880, ch. 747, Sec. 1, eff. Aug. 29, 1977.

Amended by Acts 1979, 66th Leg., p. 1333, ch. 604, Sec. 1, eff. Aug. 27, 1979.

Art. 55.06. LICENSE SUSPENSIONS AND REVOCATIONS. Records relating to the suspension or revocation of a driver's license, permit, or privilege to operate a motor vehicle may not be expunged under this chapter except as provided in Section 524.015, Transportation Code, or Section 724.048 of that code.

Added by Acts 1993, 73rd Leg., ch. 886, Sec. 16, eff. Jan. 1, 1995. Amended by Acts 1999, 76th Leg., ch. 62, Sec. 3.08, eff. Sept. 1, 1999; Acts 1999, 76th Leg., ch. 1236, Sec. 4, eff. Aug. 30, 1999.

## **APPENDIX 6                      Notice of Right of Expunction**

Expunge means to erase, remove, or wipe out. When a case is expunged, the judge issues an order that dictates that the conviction, along with all complaints, verdicts, sentences, and other documents be expunged from the applicant's records.

### ALCOHOL RELATED OFFENSES

To be eligible, the minor must not have been convicted of more than one alcohol-related offense and is now 21 years old. (Section 106.12(a), A.B.C.) To expunge the offense, the person must file with the municipal court that tried the case an application with a sworn affidavit that the person only has one conviction (the one he or she is trying to expunge) and is now 21 years of age. (Section 106.12(b), A.B.C.) After the order is issued, the applicant is released from all disabilities arising from the conviction. In addition, the case may not be shown or made known for any purpose. (Section 106.12(c), A.B.C.)

#### **106.12. EXPUNGEMENT OF CONVICTION OF A MINOR.**

- (a) Any person convicted of not more than one violation of this code while a minor, on attaining the age of 21 years, may apply to the court in which he was convicted to have the conviction expunged.
- (b) The application shall contain the applicant's sworn statement that he was not convicted of any violation of this code while a minor other than the one he seeks to have expunged.
- (c) If the court finds that the applicant was not convicted of any other violation of this code while he was a minor, the court shall order the conviction, together with all complaints, verdicts, sentences, and other documents relating to the offense, to be expunged from the applicant's record. After entry of the order, the applicant shall be released from all disabilities resulting from the conviction, and the conviction may not be shown or made known for any purpose.

### PENAL CODE OFFENSES

Article 45.0216, C.C.P., provides that a child who is at least 10 years of age and under age 17 and has been convicted of only one fine-only offense described in Sections 8.07(a)(4) and (5) of the Penal Code may apply to the court in which he or she was convicted to have the conviction expunged. Section 8.07, P.C., provides for the age affecting criminal responsibility. Subsections 8.07(a)(4) and (5) include penal ordinance offenses and fine-only Penal Code offenses.

When the child reaches the age of 17, he or she may apply to the court, in which the conviction occurred, to have the conviction expunged. The application must be in writing and made under oath. It must contain a statement that the person was not convicted while a child of any offense described by Subsections 8.07(a)(4) or (5), P.C., other than the offense the person seeks to have expunged.

If the court finds that the person was not convicted while a child of any other offense described by those subsections, the court shall order the conviction, together with the complaint, verdict, sentence, prosecutorial and law enforcement records, and any other documents relating to the offense expunged. After entry of the order, the person is released from all disabilities resulting from the conviction and the conviction may not be shown or made known for any purpose.

Also, records of a person under 17 years of age relating to a complaint for a penal offense dismissed under deferred disposition (Article 45.051, C.C.P.) or teen court (Article 45.052, C.C.P.) may be expunged under Article 45.0216, C.C.P.

#### **Art. 45.0216. EXPUNCTION OF CERTAIN CONVICTION RECORDS OF CHILDREN**

- (a) In this article, "child" has the meaning assigned by Section 51.02, Family Code.
- (b) A person convicted of not more than one offense described by Section 8.07(a)(4) or (5), Penal Code, while the person was a child may, on or after the person's 17th birthday, apply to the court in which the child was convicted to have the conviction expunged as provided by this article.
- (c) The person must make a written request to have the records expunged. The request must be under oath.
- (d) The request must contain the person's statement that the person was not convicted while the person was a child of any offense described by Section 8.07(a)(4) or (5), Penal Code, other than the offense the person seeks to have expunged.
- (e) The judge shall inform the person and any parent in open court of the person's expunction rights and provide them with a copy of this article.
- (f) If the court finds that the person was not convicted of any other offense described by Section 8.07(a)(4) or (5), Penal Code, while the person was a child, the court shall order the conviction, together with all complaints, verdicts, sentences, and prosecutorial and law enforcement records, and any other documents relating to the offense, expunged from the person's record. After entry of the order, the person is released from all disabilities resulting from the conviction and the conviction may not be shown or made known for any purpose.
- (g) This article does not apply to any offense otherwise covered by:
- (1) Chapter 106, Alcoholic Beverage Code;
  - (2) Chapter 161, Health and Safety Code; or
  - (3) Section 25.094, Education Code.
- (h) Records of a person under 17 years of age relating to a complaint dismissed as provided by Article 45.051 or 45.052 may be expunged under this article.
- (i) The justice or municipal court may not require a person who requests expungement under this article to pay any fee or court costs.
- (j) The procedures for expunction provided under this article are separate and distinct from the expunction procedures under Chapter 55.

### EDUCATION CODE OFFENSES

When the child reaches the age of 18, he or she may apply to the court, in which the conviction occurred, to have the conviction expunged. The request must be in writing and made under oath. It must contain a statement that the person does not have more than one conviction of Failure to Attend School described by Sections 26.094(g) Texas Education Code, other than the offense the person seeks to have expunged.

#### **Art. 45.055. EXPUNCTION OF CONVICTION AND RECORDS IN FAILURE TO ATTEND SCHOOL CASES**

- (a) An individual convicted of not more than one violation of Section 25.094, Education Code, may, on or after the individual's 18th birthday, apply to the court in which the individual was convicted to have the conviction and records relating to the conviction expunged.
- (b) To apply for an expunction, the applicant must submit a written request that:
- (1) is made under oath;
  - (2) states that the applicant has not been convicted of more than one violation of Section 25.094, Education Code; and
  - (3) is in the form determined by the applicant.
- (c) The court may expunge the conviction and records relating to the conviction without a hearing or, if facts are in doubt, may order a hearing on the application. If the court finds that the applicant has not been convicted of more than one violation of Section 25.094, Education Code, the court shall order the conviction, together with all complaints, verdicts, sentences, and other documents relating to the offense, including any documents in the possession of a school district or law

*enforcement agency, to be expunged from the applicant's record. After entry of the order, the applicant is released from all disabilities resulting from the conviction, and the conviction may not be shown or made known for any purpose. The court shall inform the applicant of the court's decision on the application. (d) The court may not require an individual who files an application under this article to pay any fee or court costs for seeking expunction.*

#### HEALTH AND SAFETY CODE

An individual may apply to the court, in which the conviction occurred, to have the conviction expunged. The request must be in writing and made under oath. The applicant must have completed the Tobacco Awareness Course for each conviction.

#### *161.255. EXPUNGEMENT OF CONVICTION.*

*An individual convicted of an offense under Section 161.252 may apply to the court to have the conviction expunged. If the court finds that the individual satisfactorily completed the tobacco awareness program or tobacco-related community service ordered by the court, the court shall order the conviction and any complaint, verdict, sentence, or other document relating to the offense to be expunged from the individual's record and the conviction may not be shown or made known for any purpose.*

**Appendix 7**

**APPLICATION FOR EXPUNGEMENT PENAL OFFENSES (Art. 45.0216, PC)**

***IN THE MATTER OF***

**§ IN T**

§

**CITY OF \*\*\*\*\***

\*\*\*\*\*

§

**\*\*\*\*\* COUNTY, TEXAS**

Now, comes Name, placed on deferred disposition for the offense of \*\*\*\*\* on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ in the City of \*\*\*\*\* Municipal Court in Cause Number \*\*\*\*\*.

Petitioner is now at least the age of seventeen (17) years.\* Petitioner, being duly sworn, states under oath that he/she has not been convicted of any other misdemeanor punishable by fine described by Section 8.07(a)(4) or (5), Penal Code.

Petitioner requests that all records of said deferred disposition be expunged pursuant to **Article 45.0216, Code of Criminal Procedure**, and the Court order expungement of all documents, records, and references thereof and release Name from all disabilities resulting from said charge. Petitioner further requests that said deferred disposition may not be shown or made known in any manner for any purpose. Attached to this petition is a list of agencies, officials, and others who have records or files regarding this conviction.

\_\_\_\_\_  
Defendant-Petitioner

**Sworn and subscribed** before me by Name, who stated that all the above information was true and correct to the best of her knowledge, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary / Deputy Court Clerk

Printed Name:  
My Commission Expires:

**Appendix 8**

**ORDER FOR EXPUNGEMENT OF RECORDS PENAL OFFENSES (Art. 45.0216, PC) (Page 1 of 2)**

**CAUSE NUMBER: \*\*\*\*\***

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

**VS.**

§

**CITY \*\*\*\*\***

\*\*\*\*\*

§

\*\*\*\*\***COUNTY, TEXAS**

**D.O.B.**

On this date came on to be heard the application and motion for expungement filed in the above - captioned cause. Having considered the pleadings and other documents on file herein, **the Court finds** that it has jurisdiction over the cause and the parties; and that all procedural and substantive requirements for expungement of the specified criminal records have been met pursuant to Article 45.0216, Penal Code.

**Therefore, it is hereby Ordered, Adjudged and Decreed that:**

(1) the application and motion for expungement filed in the above-captioned cause is GRANTED, and all records of the petitioner's arrest and deferred disposition on or about \_\_\_\_ day of \_\_\_\_ 20\_\_, including the records of Cause Number \*\*\*\*\* in the Municipal Court of the City of \*\*\*\*\*, Texas, are to be expunged; and all release, dissemination, or use of records pertaining to such arrest and prosecution is prohibited;

(2) the respondents listed herein shall return all records and files concerning the above specified arrest to this Court, or if removal is impracticable, obliterate all portions of the record or file that identify the petitioner, including all computer entries, and notify this Court of its action not later than Thirty (30) days from the date of this Order;

(3) the respondents shall delete from their records all index references to the records and files that are subject to this expungement order;

(4) the respondent, the Municipal Court of the City of \*\*\*\*\*, Texas, shall not permit inspection of the Court records concerning this expungement proceeding by any person other than the petitioner or petitioner's attorney herein, and shall obliterate all public references to this proceeding;

(5) pursuant to Article 45.0216, Code of Criminal Procedure, after entry of this Order, the applicant shall be released from all disabilities resulting from the conviction, and the conviction may not be shown or made known for any purpose; further, the petitioner may deny the occurrence of the expunged arrest, prosecution, conviction, probation, and this expungement order;

(6) The Department of Public Safety shall send a copy of this Order by certified mail, return receipt requested, to any central federal depository of criminal records that there is reason to believe has any of the records subject to this Order, together with an explanation to the effect of the order and a request that the records in possession of the depository, including any information with respect to this proceeding, be destroyed, deleted, or returned to the Court on or before thirty days from the date of this Order;

(7) the Clerk of the Municipal Court of the City of \*\*\*\*\*, Texas, shall cause a copy of this Order to be delivered, by certified mail, return receipt requested, to the following agencies subject to this Order:

Texas Department of Public Safety  
Criminal Records Division and Driving Records Sections  
5805 N. Lamar Blvd.  
P.O. Box 4087  
Austin, Texas 78773

Police Department  
Att: Records  
\*\*\*\*\*  
\*\*\*\*\*, Texas \*\*\*\*\*

**Identifiers:**

**Police Department: Incident No. \*\*\*\*\*, Citation No. \*\*\*\*\***

**Signed** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Presiding Judge, City of \*\*\*\*\* Municipal Court

**APPENDIX 9**

S.B. No. 1056

## AN ACT

relating to authorizing a criminal justice agency to disclose certain criminal history record information and to orders of disclosure regarding such information.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 411.081, Government Code, is amended by adding Subsections (f-1) and (j) and amending Subsection (i) to read as follows:

(f-1) In this subsection, "child" has the meaning assigned by Section 51.02, Family Code. Notwithstanding any other provision of this subchapter, on conviction of a child for a misdemeanor offense punishable by fine only that does not constitute conduct indicating a need for supervision under Section 51.03, Family Code, the convicting court shall immediately issue an order prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense. A criminal justice agency may disclose criminal history record information that is the subject of the order only to other criminal justice agencies for criminal justice purposes, to an agency or entity listed in Subsection (j), or to the person who is the subject of the order.

(i) A criminal justice agency may disclose criminal history record information that is the subject of an order of nondisclosure under Subsection (d) to the following noncriminal justice agencies or entities only:

- (1) the State Board for Educator Certification;
- (2) a school district, charter school, private school, regional education service center, commercial transportation company, or education shared service arrangement;
- (3) the Texas Medical Board;
- (4) the Texas School for the Blind and Visually Impaired;
- (5) the Board of Law Examiners;
- (6) the State Bar of Texas;
- (7) a district court regarding a petition for name change under Subchapter B, Chapter 45, Family

Code;



- (8) the Texas School for the Deaf;
- (9) the Department of Family and Protective Services;
- (10) the Texas Youth Commission;
- (11) the Department of Assistive and Rehabilitative Services;
- (12) the Department of State Health Services, a local mental health service, a local mental retardation authority, or a community center providing services to persons with mental illness or retardation;
- (13) the Texas Private Security Board;
- (14) a municipal or volunteer fire department;
- (15) the Texas Board of Nursing;
- (16) a safe house providing shelter to children in harmful situations;
- (17) a public or nonprofit hospital or hospital district;
- (18) the Texas Juvenile Probation Commission;
- (19) the securities commissioner, the banking commissioner, the savings and mortgage lending commissioner, or the credit union commissioner;
- (20) the Texas State Board of Public Accountancy;
- (21) the Texas Department of Licensing and Regulation;
- (22) the Health and Human Services Commission;
- (23) the Department of Aging and Disability Services; ~~and~~
- (24) the Texas Education Agency;
- (25) the Guardianship Certification Board; and
- (26) a county clerk's office in relation to a proceeding for the appointment of a guardian under

Chapter XIII, Texas Probate Code.

(j) A criminal justice agency may disclose criminal history record information that is the subject of an order of nondisclosure under Subsection (f-1) to the following agencies or entities only:

- (1) the Texas Youth Commission;
- (2) the Texas Juvenile Probation Commission;
- (3) the Department of State Health Services, a local mental health or mental retardation authority, or a community center providing services to persons with mental illness or retardation;

(4) the Department of Family and Protective Services;

(5) a juvenile probation department;

(6) a municipal or county health department;

(7) a public or nonprofit hospital or hospital district;

(8) a county department that provides services to at-risk youth or their families;

(9) a children's advocacy center established under Section 264.402, Family Code;

(10) a school district, charter school, private school, regional education service center, commercial transportation company, or education shared service arrangement; and

(11) a safe house providing shelter to children in harmful situations.

SECTION 2. Subsection (a), Section 411.0851, Government

Code, is amended to read as follows:

(a) A private entity that compiles and disseminates for compensation criminal history record information shall destroy and may not disseminate any information in the possession of the entity with respect to which the entity has received notice that:

(1) an order of expunction has been issued under Article 55.02, Code of Criminal Procedure; or

(2) an order of nondisclosure has been issued under Section 411.081(d) or (f-1).

SECTION 3. The heading to Section 552.142, Government Code, is amended to read as follows:

Sec. 552.142. EXCEPTION: RECORDS OF CERTAIN DEFERRED ADJUDICATIONS AND CERTAIN MISDEMEANORS PUNISHABLE BY FINE ONLY.

SECTION 4. Subsection (a), Section 552.142, Government Code, is amended to read as follows:

(a) Information is excepted from the requirements of Section 552.021 if an order of nondisclosure with respect to the information has been issued under Section 411.081(d) or (f-1).

SECTION 5. Subsection (a), Section 552.1425, Government Code, is amended to read as follows:

(a) A private entity that compiles and disseminates for compensation criminal history record information may not compile or disseminate information with respect to which the entity has received notice that:

(1) an order of expunction has been issued under Article 55.02, Code of Criminal Procedure; or

(2) an order of nondisclosure has been issued under Section 411.081(d) or (f-1).

SECTION 6. The change in law made by this Act applies to a conviction that occurs on or after the effective date of this Act, regardless of whether the offense was committed before, on, or after the effective date of this Act.

SECTION 7. Notwithstanding Section 6 of this Act, a child, as that term is defined by Section 51.02, Family Code, who is convicted of a misdemeanor offense punishable by fine only that does not constitute conduct indicating a need for supervision under Section 51.03, Family Code, before the effective date of this Act may petition the court for an order of nondisclosure, and the court shall issue the order under Subsection (f-1), Section 411.081, Government Code, as added by this Act.

SECTION 8. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

## **APPENDIX 10**

Government Code

### **SUBCHAPTER F. CRIMINAL HISTORY RECORD INFORMATION**

#### **Sec. 411.081. (with 2009 amendments)**

APPLICATION OF SUBCHAPTER. (a) This subchapter does not apply to criminal history record information that is contained in:

- (1) posters, announcements, or lists for identifying or apprehending fugitives or wanted persons;
- (2) original records of entry, including police blotters maintained by a criminal justice agency that are compiled chronologically and required by law or long-standing practice to be available to the public;
- (3) public judicial, administrative, or legislative proceedings;
- (4) court records of public judicial proceedings;
- (5) published judicial or administrative opinions; or
- (6) announcements of executive clemency.

(b) This subchapter does not prohibit a criminal justice agency from disclosing to the public criminal history record information that is related to the offense for which a person is involved in the criminal justice system.

(c) This subchapter does not prohibit a criminal justice agency from confirming previous criminal history record information to any person on specific inquiry about whether a named person was arrested, detained, indicted, or formally charged on a specified date, if the information disclosed is based on data excluded by Subsection (b).

(d) Notwithstanding any other provision of this subchapter, if a person is placed on deferred adjudication community supervision under Section 5, Article 42.12, Code of Criminal Procedure, subsequently receives a discharge and dismissal under Section 5(c), Article 42.12, and satisfies the requirements of Subsection (e), the

person may petition the court that placed the defendant on deferred adjudication for an order of nondisclosure under this subsection. Except as provided by Subsection (e), a person may petition the court under this subsection regardless of whether the person has been previously placed on deferred adjudication community supervision for another offense. After notice to the state and a hearing on whether the person is entitled to file the petition and issuance of the order is in the best interest of justice, the court shall issue an order prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense giving rise to the deferred adjudication. A criminal justice agency may disclose criminal history record information that is the subject of the order only to other criminal justice agencies, for criminal justice or regulatory licensing purposes, an agency or entity listed in Subsection (i), or the person who is the subject of the order. A person may petition the court that placed the person on deferred adjudication for an order of nondisclosure on payment of a \$28 fee to the clerk of the court in addition to any other fee that generally applies to the filing of a civil petition. The payment may be made only on or after:

(1) the discharge and dismissal, if the offense for which the person was placed on deferred adjudication was a misdemeanor other than a misdemeanor described by Subdivision (2);

(2) the second anniversary of the discharge and dismissal, if the offense for which the person was placed on deferred adjudication was a misdemeanor under Chapter 20, 21, 22, 25, 42, or 46, Penal Code; or

(3) the fifth anniversary of the discharge and dismissal, if the offense for which the person was placed on deferred adjudication was a felony.

(e) A person is entitled to petition the court under Subsection (d) only if during the period of the deferred adjudication community supervision for which the order of nondisclosure is requested and during the applicable period described by Subsection (d)(1), (2), or (3), as appropriate, the person is not convicted of or placed on deferred adjudication community supervision under Section 5, Article 42.12, Code of Criminal Procedure, for any offense other than an offense under the Transportation Code punishable by fine only. A person is not entitled to petition the court under Subsection (d) if the person was placed on the deferred adjudication community supervision for or has been previously convicted or placed on any other deferred adjudication for:

(1) an offense requiring registration as a sex offender under Chapter 62, Code of Criminal Procedure;

(2) an offense under Section 20.04, Penal Code, regardless of whether the offense is a reportable conviction or adjudication for purposes of Chapter 62, Code of Criminal Procedure;

(3) an offense under Section 19.02, 19.03, 22.04, 22.041, 25.07, or 42.072, Penal Code; or

(4) any other offense involving family violence, as defined by Section 71.004, Family Code.

(f) For purposes of Subsection (d), a person is considered to have been placed on deferred adjudication community supervision if, regardless of the statutory authorization:

(1) the person entered a plea of guilty or nolo contendere;

(2) the judge deferred further proceedings without entering an adjudication of guilt and placed the person under the supervision of the court or an officer under the supervision of the court; and

(3) at the end of the period of supervision the judge dismissed the proceedings and discharged the person.

(f-1) In this subsection, "child" has the meaning assigned by Section 51.02, Family Code. Notwithstanding any other provision of this subchapter, on conviction of a child for a misdemeanor offense punishable by fine only that does not constitute conduct indicating a need for supervision under Section 51.03, Family Code, the convicting court shall immediately issue an order prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense. A criminal justice agency may disclose criminal history record information that is the subject of the order only to other criminal justice agencies for criminal justice purposes, to an agency or entity listed in Subsection (j), or to the person who is the subject of the order.

(g) Not later than the 15th business day after the date an order of nondisclosure is issued under this section, the clerk of the court shall send all relevant criminal history record information contained in the order or a copy of the order by certified mail, return receipt requested, or secure electronic mail, electronic transmission, or facsimile transmission to the Crime Records Service of the Department of Public Safety.

(g-1) Not later than 10 business days after receipt of relevant criminal history record information contained in an order or a copy of an order under Subsection (g), the Department of Public Safety shall seal any criminal history record information maintained by the department that is the subject of the order. The department shall also send all relevant criminal history record information contained in the order or a copy of the order by certified mail, return receipt requested, or secure electronic mail, electronic transmission, or facsimile transmission to all:

- (1) law enforcement agencies, jails or other detention facilities, magistrates, courts, prosecuting attorneys, correctional facilities, central state depositories of criminal records, and other officials or agencies or other entities of this state or of any political subdivision of this state;
- (2) central federal depositories of criminal records that there is reason to believe have criminal history record information that is the subject of the order; and
- (3) private entities that purchase criminal history record information from the department or that otherwise are likely to have criminal history record information that is subject to the order.

(g-1a) The director shall adopt rules regarding minimum standards for the security of secure electronic mail, electronic transmissions, and facsimile transmissions under Subsections (g) and (g-1). In adopting rules under this subsection, the director shall consult with the Office of Court Administration of the Texas Judicial System.

(g-1b) Not later than 30 business days after receipt of relevant criminal history record information contained in an order or a copy of an order from the Department of Public Safety under Subsection (g-1), an individual or entity described by Subsection (g-1)(1) shall seal any criminal history record information maintained by the individual or entity that is the subject of the order.

(g-1c) The department may charge to a private entity that purchases criminal history record information from the department a fee in an amount sufficient to recover costs incurred by the department in providing

relevant criminal history record information contained in an order or a copy of an order under Subsection (g-1)(3) to the entity.

(g-2) A person whose criminal history record information has been sealed under this section is not required in any application for employment, information, or licensing to state that the person has been the subject of any criminal proceeding related to the information that is the subject of an order issued under this section.

(h) The clerk of a court that collects a fee under Subsection (d) shall remit the fee to the comptroller not later than the last day of the month following the end of the calendar quarter in which the fee is collected, and the comptroller shall deposit the fee in the general revenue fund. The Department of Public Safety shall submit a report to the legislature not later than December 1 of each even-numbered year that includes information on:

(1) the number of petitions for nondisclosure and orders of nondisclosure received by the department in each of the previous two years;

(2) the actions taken by the department with respect to the petitions and orders received;

(3) the costs incurred by the department in taking those actions; and

(4) the number of persons who are the subject of an order of nondisclosure and who became the subject of criminal charges for an offense committed after the order was issued.

(i) A criminal justice agency may disclose criminal history record information that is the subject of an order of nondisclosure under Subsection (d) to the following noncriminal justice agencies or entities only:

(1) the State Board for Educator Certification;

(2) a school district, charter school, private school, regional education service center, commercial transportation company, or education shared service arrangement;

(3) the Texas Medical Board;

(4) the Texas School for the Blind and Visually Impaired;

(5) the Board of Law Examiners;

(6) the State Bar of Texas;

(7) a district court regarding a petition for name change under Subchapter B, Chapter 45, Family

Code;

(8) the Texas School for the Deaf;

(9) the Department of Family and Protective Services;

(10) the Texas Youth Commission;

(11) the Department of Assistive and Rehabilitative Services;

(12) the Department of State Health Services, a local mental health service, a local mental retardation authority, or a community center providing services to persons with mental illness or retardation;

(13) the Texas Private Security Board;

(14) a municipal or volunteer fire department;

(15) the Texas Board of Nursing;

(16) a safe house providing shelter to children in harmful situations;

(17) a public or nonprofit hospital or hospital district;

(18) the Texas Juvenile Probation Commission;

(19) the securities commissioner, the banking commissioner, the savings and mortgage lending commissioner, or the credit union commissioner;

(20) the Texas State Board of Public Accountancy;

(21) the Texas Department of Licensing and Regulation;

(22) the Health and Human Services Commission;

(23) the Department of Aging and Disability Services; ~~and~~

(24) the Texas Education Agency;

(25) the Guardianship Certification Board; and

(26) a county clerk's office in relation to a proceeding for the appointment of a guardian under

Chapter XIII, Texas Probate Code.

(j) A criminal justice agency may disclose criminal history record information that is the subject of an order of nondisclosure under Subsection (f-1) to the following agencies or entities only:

(1) the Texas Youth Commission;

(2) the Texas Juvenile Probation Commission;

(3) the Department of State Health Services, a local mental health or mental retardation authority, or a community center providing services to persons with mental illness or retardation;

(4) the Department of Family and Protective Services;

(5) a juvenile probation department;

(6) a municipal or county health department;

(7) a public or nonprofit hospital or hospital district;

(8) a county department that provides services to at-risk youth or their families;

(9) a children's advocacy center established under Section 264.402, Family Code;

(10) a school district, charter school, private school, regional education service center, commercial transportation company, or education shared service arrangement; and

(11) a safe house providing shelter to children in harmful situations.

## APPENDIX 11

H.B. No. 558

### AN ACT

relating to law enforcement and judicial procedures for, and the prosecution of, children who engage in conduct constituting ~~public~~ ~~intoxication~~.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Articles 14.031(a) and (b), Code of Criminal Procedure, are amended to read as follows:

(a) In lieu of arresting an individual who is not a child, as defined by Section 51.02, Family Code, and who commits an offense under Section 49.02, Penal Code, a peace officer may release the ~~an~~ individual if:

(1) the officer believes detention in a penal facility is unnecessary for the protection of the individual or others; and

(2) the individual:

(A) is released to the care of an adult who agrees to assume responsibility for the individual; or

(B) verbally consents to voluntary treatment for chemical dependency in a program in a treatment facility licensed and approved by the Texas Commission on Alcohol and Drug Abuse, and the program admits the individual for treatment.

(b) A magistrate may release from custody an individual who is not a child, as defined by Section 51.02, Family Code, and who is arrested under Section 49.02, Penal Code, if the magistrate determines the individual meets the conditions required for release in lieu of arrest under Subsection (a) of this article.

SECTION 2. Article 45.058, Code of Criminal Procedure, is amended by amending Subsections (a), (f), and (g) and adding Subsection (g-1) to read as follows:

(a) A child may be released to the child's parent, guardian, custodian, or other responsible adult as provided by Section 52.02(a)(1), Family Code, if the child is taken into custody for an offense that a justice or municipal court has jurisdiction of under Article 4.11 or 4.14 ~~[, other than ~~public~~ ~~intoxication~~].~~

(f) A child taken into custody for an offense that a justice or municipal court has jurisdiction of under Article 4.11 or 4.14 ~~[, other than ~~public~~ ~~intoxication~~],~~ may be presented or detained in a detention facility designated by the juvenile court under Section 52.02(a)(3), Family Code, only if:

(1) the child's non-traffic case is transferred to the



juvenile court by a justice or municipal court under Section 51.08(b), Family Code; or

(2) the child is referred to the juvenile court by a justice or municipal court for contempt of court under Article 45.050.

(g) Except as provided by Subsection (g-1), a [A] law enforcement officer may issue a field release citation as provided by Article 14.06 in place of taking a child into custody for a traffic offense or an offense [other than ~~public intoxication~~], punishable by fine only.

(g-1) A law enforcement officer may issue a field release citation as provided by Article 14.06 in place of taking a child into custody for conduct constituting a violation of Section 49.02, Penal Code, only if the officer releases the child to the child's parent, guardian, custodian, or other responsible adult.

SECTION 3. Section ~~51.03~~(f), Family Code, is amended to read as follows:

(f) Except as provided by Subsection (g), conduct described under Subsection (b)(1) [~~other than conduct that violates Section 49.02, Penal Code, prohibiting ~~public intoxication~~~~], does not constitute conduct indicating a need for supervision unless the child has been referred to the juvenile court under Section 51.08(b).

SECTION 4. Sections 51.08(a), (b), and (c), Family Code, are amended to read as follows:

(a) If the defendant in a criminal proceeding is a child who is charged with an offense other than perjury, a traffic offense, a misdemeanor punishable by fine only [~~other than ~~public intoxication~~~~], or a violation of a penal ordinance of a political subdivision, unless the child [he] has been transferred to criminal court under Section 54.02 [~~of this code~~], the court exercising criminal jurisdiction shall transfer the case to the juvenile court, together with a copy of the accusatory pleading and other papers, documents, and transcripts of testimony relating to the case, and shall order that the child be taken to the place of detention designated by the juvenile court, or shall release the child [him] to the custody of the child's [his] parent, guardian, or custodian, to be brought before the juvenile court at a time designated by that court.

(b) A court in which there is pending a complaint against a child alleging a violation of a misdemeanor offense punishable by fine only other than a traffic offense [~~or ~~public intoxication~~~~] or a violation of a penal ordinance of a political subdivision other than a traffic offense:

(1) except as provided by Subsection (d), shall waive its original jurisdiction and refer the [a] child to juvenile court if the child has previously been convicted of:

(A) two or more misdemeanors punishable by fine only other than a traffic offense [~~or ~~public intoxications~~~~];

(B) two or more violations of a penal ordinance of a political subdivision other than a traffic offense; or

(C) one or more of each of the types of misdemeanors described in Paragraph (A) or (B) [~~of this subdivision~~]; and

(2) may waive its original jurisdiction and refer the [a] child to juvenile court if the child:

(A) has not previously been convicted of a misdemeanor punishable by fine only other than a traffic offense [~~or **public intoxication**~~] or a violation of a penal ordinance of a political subdivision other than a traffic offense; or

(B) has previously been convicted of fewer than two misdemeanors punishable by fine only other than a traffic offense [~~or **public intoxication**~~] or two violations of a penal ordinance of a political subdivision other than a traffic offense.

(c) A court in which there is pending a complaint against a child alleging a violation of a misdemeanor offense punishable by fine only other than a traffic offense [~~or **public intoxication**~~] or a violation of a penal ordinance of a political subdivision other than a traffic offense shall notify the juvenile court of the county in which the court is located of the pending complaint and shall furnish to the juvenile court a copy of the final disposition of any matter for which the court does not waive its original jurisdiction under Subsection (b) [~~of this section~~].

SECTION 5. Section 8.07(a), Penal Code, is amended to read as follows:

(a) A person may not be prosecuted for or convicted of any offense that the person committed when younger than 15 years of age except:

(1) perjury and aggravated perjury when it appears by proof that the person had sufficient discretion to understand the nature and obligation of an oath;

(2) a violation of a penal statute cognizable under Chapter 729, Transportation Code, except for conduct for which the person convicted may be sentenced to imprisonment or confinement in jail;

(3) a violation of a motor vehicle traffic ordinance of an incorporated city or town in this state;

(4) a misdemeanor punishable by fine only [~~other than **public intoxication**~~];

(5) a violation of a penal ordinance of a political subdivision;

(6) a violation of a penal statute that is, or is a lesser included offense of, a capital felony, an aggravated controlled substance felony, or a felony of the first degree for which the person is transferred to the court under Section 54.02, Family Code, for prosecution if the person committed the offense when 14 years of age or older; or

(7) a capital felony or an offense under Section 19.02 for which the person is transferred to the court under Section 54.02(j)(2)(A), Family Code.

SECTION 6. The change in law made by this Act applies only to conduct that occurs on or after the effective date of this Act. Conduct that occurs before the effective date of this Act is covered by the law in effect at the time the conduct occurred, and the former law is continued in effect for that purpose. For the purposes of this section, conduct violating a penal law of this state occurs before the effective date of this Act if any element of the violation occurred before that date.

SECTION 7. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 558 was passed by the House on April 15, 2009, by the following vote: Yeas 147, Nays 0, 1 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 558 was passed by the Senate on May 21, 2009, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

APPROVED: \_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

**APPENDIX 12**

§ 411.082. DEFINITIONS. In this subchapter:

(1) "Administration of criminal justice" has the meaning assigned by Article 60.01, Code of Criminal Procedure.

(2) **"Criminal history record information" means information collected about a person by a criminal justice agency that consists of identifiable descriptions and notations of arrests, detentions, indictments, informations, and other formal criminal charges and their dispositions. The term does not include:**

**(A) identification information, including fingerprint records, to the extent that the identification information does not indicate involvement of the person in the criminal justice system; or**

**(B) driving record information maintained by the department under Subchapter C, Chapter 521, Transportation Code.**

(3) "Criminal justice agency" means:

(A) a federal or state agency that is engaged in the administration of criminal justice under a statute or executive order and that allocates a substantial portion of its annual budget to the administration of criminal justice; or

(B) a nongovernmental railroad or campus police department that has obtained an originating agency identifier from the Federal Bureau of Investigation.

(4) "Criminal justice purpose" means:

- (A) an activity that is included in the administration of criminal justice; or
- (B) screening of applicants for employment with a

criminal justice agency.

Added by Acts 1993, 73rd Leg., ch. 790, § 35, eff. Sept. 1, 1993. Amended by Acts 1997, 75th Leg., ch. 165, § 30.190, eff. Sept. 1, 1997.

## APPENDIX 13

### E-Mail from DPS

**From:** Kendall, Angie [mailto:Angie.Kendall@txdps.state.tx.us]  
**Sent:** Tuesday, September 01, 2009 12:12 PM  
**To:** Hope Lochridge  
**Subject:** New legislation

Hope,

As you may know SB 1056 modified Section 411.081 of the Government Code. The law now requires a convicting court to immediately issue an order of non-disclosure for a conviction of a child for a Class C misdemeanor. These orders must be sent to the Department of Public Safety. I was hoping that you could help distribute the reporting procedures for us. We need a copy of the order either faxed or emailed. Once we receive the orders, we will proceed with our notification requirement per 411.081 GC.

Email to - NonDisclosures@txdps.state.tx.us  
 FAX - 512-424-5760

Also, some of the justice and municipal courts asked the department for guidance in interpreting SB 1056 as it relates to traffic offenses. SB 1056 authorizes the court to issue an order of nondisclosure prohibiting criminal justice agencies from disclosing to the public criminal history record information relating to an offense punishable by fine only which was committed by a child.

Government Code §411.081(f-1) states: **“Notwithstanding any other provision of this subchapter, on conviction of a child for a misdemeanor offense punishable by fine only that does not constitute conduct indicating a need for supervision under Section 51.03, Family Code, the convicting court shall immediately issue an order prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense.”**

Government Code §411.082(2) states: **"Criminal history record information" means information collected about a person by a criminal justice agency that consists of identifiable descriptions and notations of arrests, detentions, indictments, information's, and other formal criminal charges and their dispositions. The term does not include:**

**(A) identification information, including fingerprint records, to the extent that the identification information does not indicate involvement of the person in the criminal justice system; or**

**(B) driving record information maintained by the department under Subchapter C, Chapter 521, Transportation Code."**

In addition, Transportation Code, §521.046 authorizes the department to disclose information relating to traffic law convictions. Also, conversations with Kelvin Bass, aide to Senator West the bill sponsor, and Legislative Council indicated SB 1056 was not intended to include nondisclosure of traffic offenses.

Based on the above, the department's position is that SB 1056 does not authorize the nondisclosure of traffic offenses.

Angie Kendall  
Bureau Manager  
Criminal History Record Information Processing  
512-424-2471

**Appendix 14**

This form is an example. TMCEC does not warrant, either expressly or implicitly, its content. This form is not published with the intention of providing legal advice. All users are responsible for their own legal drafting. Legal drafting should be accompanied by legal advice and direction from a licensed attorney, retained by the local governmental entity.

**CAUSE NO.** \_\_\_\_\_

**STATE OF TEXAS**

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**IN THE MUNICIPAL COURT**

**v.**

**CITY OF** \_\_\_\_\_

**XXXX**

\_\_\_\_\_ **COUNTY, TEXAS**

**IMMEDIATE ORDER PROHIBITING DISCLOSURE  
OF CRIMINAL HISTORY RECORD INFORMATION**

**FINDINGS AND ORDERS**

Pursuant to Section 411.081(f-1) of the Government Code, the Court FINDS: (1) The Defendant in the above styled case is a “child” as defined by Section 51.02 of the Family Code; (2) The Defendant was convicted of a misdemeanor offense punishable by fine only that does not constitute conduct indicating a need for supervision under Section 51.03 of the Family Code; and, (3) The conviction in the above styled case is final.

**I.** The Court **ORDERS** that criminal justice agencies are prohibited from disclosing to the public criminal history record information related to the offense of \_\_\_\_\_, for which the Defendant was convicted in this cause.

The following information is provided to identify the Defendant:

- NAME:
- SEX:
- RACE:
- DATE OF BIRTH:
- DRIVER’S LICENSE NUMBER:
- SOCIAL SECURITY NUMBER:

The Court FINDS that Defendant is entitled to nondisclosure of the following information:

ALLEGED OFFENSE:  
 DATE OF ALLEGED OFFENSE:  
 DATE OF ARREST:  
 COUNTY WHERE ARRESTED:  
 MUNICIPALITY WHERE ARREST OCCURRED:  
 ARRESTING AGENCY:  
 CASE NUMBER:  
 COURT:  
 DATE OF CONVICTION:

**II.** The Court further **ORDERS**, pursuant to Section 411.081(g) of the Government Code, that:

- A. Not later than the 15th business day after the date of this order, the Clerk of the Court shall send all relevant criminal history record information contained in the order or a copy of the order by either (1) certified mail, return receipt requested, (2) secure electronic mail, (3) secure electronic transmission, or (4) secure facsimile transmission to the Crime Records Service of the Department of Public Safety.
- B. Not later than 10 business days after receipt of relevant criminal history record information contained in this order, the Department of Public Safety shall seal any criminal history record information maintained by the department that is the subject of the order. The department shall also send all relevant criminal history record information contained in the order or a copy of the order by certified mail, return receipt requested, or secure electronic mail, electronic transmission, or facsimile transmission to all: (1) law enforcement agencies, jails or other detention facilities, magistrates, courts, prosecuting attorneys, correctional facilities, central state depositories of criminal records, and other officials or agencies or other entities of this state or of any political subdivision of this state; (2) central federal depositories of criminal records that there is reason to believe have criminal history record information that is the subject of the order; and (3) private entities that purchase criminal history record information from the department or that otherwise are likely to have criminal history record information that is subject to the order.

Agencies known to have criminal history record information subject to this order (*include any of the following, and any not listed, that are applicable*):

- (a) *Name(s) and Address(es) of Local Law Enforcement Entities*
- (b) Texas Department of Public Safety  
 Crime Records Service  
 P. O. Box 4143  
 Austin, TX 78765-4143
- (c) *Name and Address of Prosecuting Attorney*
- (d) *Name and Address of the Clerk of the Court*
- (e) *Address of Pretrial Services and/or Juvenile Case Manager*

**III.** The Court further **ORDERS** that this document is confidential. It is not public information as that term is defined under the Texas Public Information Act and shall not be disseminated pursuant to a request made under the Public Information Act.



MUNICIPALITY ARREST OCCURRED: City of North Richland Hills  
 ARRESTING AGENCY: City of North Richland Hills  
 CASE NUMBER: 22222  
 COURT: City of North Richland Hills

- II.** The Court further **ORDERS**, pursuant to Section 411.081(g) of the Government Code, that:
- A. Not later than the 15th business day after the date of this order, the Clerk of the Court shall send all relevant criminal history record information contained in the order or a copy of the order by either (1) certified mail, return receipt requested, (2) secure electronic mail, (3) secure electronic transmission, or (4) secure facsimile transmission to the Crime Records Service of the Department of Public Safety.
  - B. Not later than 10 business days after receipt of relevant criminal history record information contained in this order, the Department of Public Safety shall seal any criminal history record information maintained by the department that is the subject of the order. The department shall also send all relevant criminal history record information contained in the order or a copy of the order by certified mail, return receipt requested, or secure electronic mail, electronic transmission, or facsimile transmission to all: (1) law enforcement agencies, jails or other detention facilities, magistrates, courts, prosecuting attorneys, correctional facilities, central state depositories of criminal records, and other officials or agencies or other entities of this state or of any political subdivision of this state; (2) central federal depositories of criminal records that there is reason to believe have criminal history record information that is the subject of the order; and (3) private entities that purchase criminal history record information from the department or that otherwise are likely to have criminal history record information that is subject to the order.

Agencies known to have criminal history record information subject to this order (*include any of the following, and any not listed, that are applicable*):

- (a) Name(s) and Address(es) of Local Law Enforcement Entities; (b) Texas Department of Public Safety Crime Records Service, P. O. Box 4143, Austin, TX 78765-4143; (c) Name and Address of Prosecuting Attorney; (d) Name and Address of the Clerk of the Court; (e) Address of Pretrial Services and/or Juvenile Case Manager**

- III.** The Court further **ORDERS** that this document is confidential. It is not public information as that term is defined under the Texas Public Information Act and shall not be disseminated pursuant to a request made under the Public Information Act.
- IV.** The Court further **ORDERS** that the Clerk of the Court provide the Defendant a certified copy of this order.
- V.** Pursuant to Section 552.142(b) of the Government Code, the Defendant may deny the occurrence of the arrest and prosecution to which the information herein referred to relates and the existence of this order.

ENTERED this the 27th day of August, 2009

\_\_\_\_\_  
 MUNICIPAL JUDGE



**Appendix 16**

CAUSE NO.

THE STATE OF TEXAS

§  
§  
§  
§  
§

IN THE MUNICIPAL COURT

VS.

CITY OF NORTH RICHLAND HILLS

TARRANT COUNTY, TEXAS

**ORDER OF NONDISCLOSURE**

ON THIS the , came on to be heard Defendant’s case in the above styled cause, and upon hearing from all parties and a review of the evidence presented, a final judgment was entered of record. Pursuant to Section 411.081, Texas Government Code, the Court further finds: (1) The Defendant is a “child” as defined by Section 51.02 of the Family Code; and, (2) The Defendant was convicted of a misdemeanor offense punishable by fine only that does not constitute conduct indicating a need for supervision under Section 51.03, Family Code.

THEREFORE, IT IS ORDERED that all criminal justice agencies are prohibited from disclosing to the public criminal history record information relating to the following conviction:

- NAME:
- DATE OF BIRTH:
- GENDER:
- DRIVER’S LICENSE:
- OFFENSE:
- OFFENSE DATE:
- CITATION/CAUSE NO.:

IT IS FURTHER ORDERED that no later than the 15<sup>th</sup> business day after the date of this Order, the Clerk of the Court shall send a copy of this Order by either (1) certified mail, return receipt requested, (2) secure electronic mail, electronic transmission, or (3) facsimile transmission, to the Crime Records Service of the Department of Public Safety.

Not later than 10 business days after receipt of this Order, the Department of Public Safety shall seal any criminal history record information maintained by the department that is subject to this Order. The department shall also send a copy of this Order by certified mail, return receipt requested, secure electronic mail, electronic transmission, or facsimile transmission, to (1) all law enforcement agencies, jails or other detention facilities, magistrates, courts, prosecuting attorneys, correctional facilities, central state depositories of criminal records, and other officials or agencies or other entities of this state or of any political subdivision of this state; (2) central federal depositories of criminal records that there is reason to believe have criminal history record information that is subject to this Order; and (3) private entities that purchase criminal history record information from the department or that otherwise are likely to have criminal history record information that is subject to this Order.

The following agencies are known to have criminal record information subject to this Order:

1. North Richland Hills Police Department  
7301 NE Loop 820, N. Richland Hills, Tx. 76180 – 817-427-7000 (fax)
2. Municipal Court, City of North Richland Hills  
6720 NE Loop 820, N. Richland Hills, Tx. 76180 - 817-427-6707 (fax)
3. Texas Department of Public Safety Crime Records  
P.O. Box 4143, Austin, Tx. 78765-4143

SIGNED AND ENTERED this

\_\_\_\_\_

JUDGE PRESIDING

6720 NE Loop 820  
N. Richland Hills, Texas 76180  
Phone: 817-427-6710  
Fax: 817-427-6707

North Richland Hills Municipal Court

# Fax

To: Texas Department of Public Safety  
Crime Records  
P.O. Box 4143, Austin, Tx. 78765-4143

From: Heather Hollingsworth  
NRH Municipal Court

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Fax: \_\_\_\_\_ Date: \_\_\_\_\_

Phone: \_\_\_\_\_ Pages: \_\_\_\_\_

Re: **Notice of Juvenile Non-Disclosure**

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