





# ROMAN FOREST MUNICIPAL COURT

2430 Roman Forest Blvd.  
Roman Forest , Texas 77357  
281-399-7227 Fax 281-689-7573

85R1595 JRR-D

By: Wu, Thompson of Harris, Moody

H.B. No. 681

A BILL TO BE ENTITLED

AN ACT

relating to restricting access to certain information that relates to a person convicted of or granted a dismissal after deferral of disposition for a fine-only misdemeanor offense.

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

SECTION 1. Chapter 44, Code of Criminal Procedure, is amended by adding Article 44.2812 to read as follows:

Art. 44.2812. CONFIDENTIAL RECORDS RELATED TO FINE-ONLY MISDEMEANOR. (a) Except as provided by Subsection (b) and Article 45.0218(b), following the fifth anniversary of the date of a final conviction of, or of a dismissal after deferral of disposition for, a misdemeanor offense punishable by fine only, all records and files and information stored by electronic means or otherwise, from which a record or file could be generated, that are held or stored by or for an appellate court and relate to the person who was convicted of, or who received a dismissal after deferral of disposition for, the offense are confidential and may not be disclosed to the public.

(b) This article does not apply to an opinion issued by an appellate court.

SECTION 2. Subchapter B, Chapter 45, Code of Criminal Procedure, is amended by adding Article 45.0218 to read as follows:

Art. 45.0218. CONFIDENTIAL RECORDS RELATED TO FINE-ONLY MISDEMEANOR. (a) Except as provided by Subsection (b), following



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the fifth anniversary of the date of a final conviction of, or of a dismissal after deferral of disposition for, a misdemeanor offense punishable by fine only, all records and files and information stored by electronic means or otherwise, from which a record or file could be generated, that are held or stored by or for a municipal or justice court and relate to the person who was convicted of, or who received a dismissal after deferral of disposition for, the offense are confidential and may not be disclosed to the public.

(b) Information subject to Subsection (a) may be open to inspection only by:

(1) judges or court staff;

(2) a criminal justice agency for a criminal justice

purpose, as those terms are defined by Section 411.082, Government Code;

(3) the Department of Public Safety;

(4) the attorney representing the state;

(5) the defendant or the defendant's counsel; or

(6) if the offense is a traffic offense, an insurance company or surety company authorized to write motor vehicle liability insurance in this state.

SECTION 3. The change in law made by this Act applies to the disclosure of information on or after the effective date of this Act regardless of whether the offense that is the subject of the information was committed before, on, or after the effective date of this Act.

SECTION 4. This Act takes effect September 1, 2017.