

1                    AN ACT

2 relating to the eligibility of certain criminal defendants for an  
3 order of nondisclosure of criminal history record information.

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

5            SECTION 1. Subchapter E-1, Chapter 411, Government Code, is  
6 amended by adding Section 411.0732 to read as follows:

7            Sec. 411.0732. PROCEDURE FOR COMMUNITY SUPERVISION  
8 FOLLOWING CONVICTION; SET-ASIDE CONVICTIONS. (a) This section  
9 applies only to a person who:

10            (1) on conviction is placed on community supervision  
11 under Chapter 42A, Code of Criminal Procedure, and with respect to  
12 whom the conviction is subsequently set aside by the court under  
13 Article 42A.701(f) of that chapter; and

14            (2) is not convicted of an offense for which the person  
15 would be ineligible for deferred adjudication community  
16 supervision under Article 42A.102(b), Code of Criminal Procedure.

17            (b) Notwithstanding any other provision of this subchapter  
18 or Subchapter F, a person described by Subsection (a) who satisfies  
19 the requirements of Section 411.074 may petition the court that  
20 placed the person on community supervision for an order of  
21 nondisclosure of criminal history record information under this  
22 section.

23            (c) After notice to the state, an opportunity for a hearing,  
24 and a determination that the person is entitled to file the petition

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S.B. No. 550

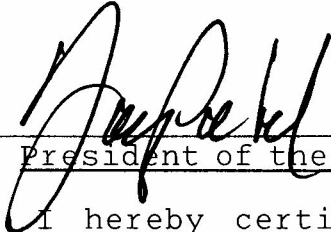
1 and that issuance of the order is in the best interest of justice,  
2 the court shall issue an order prohibiting criminal justice  
3 agencies from disclosing to the public criminal history record  
4 information related to the offense giving rise to the community  
5 supervision.

6 (d) A person may petition the court that placed the person  
7 on community supervision for an order of nondisclosure of criminal  
8 history record information under this section only after:

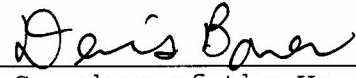
9 (1) the second anniversary of the date the conviction  
10 is set aside, if the offense for which the person was placed on  
11 community supervision was a misdemeanor; or

12 (2) the fifth anniversary of the date the conviction  
13 is set aside, if the offense for which the person was placed on  
14 community supervision was a felony.

15 SECTION 2. This Act takes effect September 1, 2019.



President of the Senate



Speaker of the House

I hereby certify that S.B. No. 550 passed the Senate on May 8, 2019, by the following vote: Yeas 31, Nays 0.



Secretary of the Senate

I hereby certify that S.B. No. 550 passed the House on May 22, 2019, by the following vote: Yeas 142, Nays 2, two present not voting.



Chief Clerk of the House

Approved:

Date

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4:45 pm O'CLOCK

JUN 15 2019



Secretary of State

**PROCLAMATION**  
BY THE  
**Governor of the State of Texas**  
41-3673

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 550 as passed by the Eighty-Sixth Texas Legislature, Regular Session, because of the following objections:

I vetoed similar legislation in 2015 and must do so again here. Convicted criminals should have a pathway to reintegrating into society after they complete their sentences, and the law rightfully allows them to clear their records in certain circumstances. For example, this session I have signed into law Senate Bill 20, which expands the ability of human trafficking victims to seek orders of nondisclosure. Senate Bill 550, however, would allow individuals who were convicted of violent felonies to hide their dangerous conduct from society and from potential employers. I look forward to working with the next Legislature on a more tailored approach.

Since the Eighty-Sixth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.



IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2019.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT  
Governor of Texas

ATTESTED BY:

A handwritten signature in black ink that reads "Joe Esparza".

JOE ESPARZA  
Deputy Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4:45pm O'CLOCK

JUN 15 2019