

## **BILL ANALYSIS**

Senate Research Center  
77R6834 JMC-D

S.B. 1570  
By: West, Royce  
Criminal Justice  
3/28/2001  
As Filed

### **DIGEST AND PURPOSE**

Currently, the record of a not guilty verdict may only be expunged by a certain specific method and not by the standard method of expunction, imposing an unnecessary and undue burden by limiting the choice of methods whereby a person may seek expunction of the record of such a verdict. As proposed, S.B. 1570 amends provisions of the Code of Criminal Procedure to allow a person to also employ the standard method of expunction for the purposes of expunging a record of a not guilty verdict.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 2(a), Article 55.02, Code of Criminal Procedure, to authorize a person who is entitled to expunction of records and files under Article 55.01(a), rather than Articles 55.01(a)(1)(b) or 55.01(a)(2), or a person who is eligible for expunction of records and files under Article 55.01(b) to file an ex parte petition for expunction in a district court for the county in which the person was arrested or in the county where the offense was alleged to have occurred.

SECTION 2. Effective date: September 1, 2001.  
Makes application of this Act prospective.