

Code of Criminal Procedure - Article 45.0216

- 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 8.079(a)(4) or (5), Penal Code, other than the offense the person seeks to have expunged.
- E - The judge shall inform the person 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 person was not convicted of any other offense described by Section 8.07(a)(4) or (5), Penal Code, while 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.