

# Give More Texans the Ability to Clear Their Records to Improve Their Stability and Self-Sufficiency

## Policy Background

Approximately 9 million people in Texas have a criminal record that is not sealed.<sup>1</sup> People with past involvement in the criminal punishment system face immense challenges finding stable housing, getting a job, and accessing other services due to their record. Orders of nondisclosure, which are available for people with certain offenses, can seal the record from all but some government agencies, law enforcement, and select employers, such as schools.

## Proposed Solution

**Texas leaders should enact “Clean Slate” legislation:**

- Automate criminal record nondisclosure for qualifying offenses. Given that the process for obtaining nondisclosure can be arduous and costly, this will save valuable time and court resources, as well as prevent eligible people from having to pay fees and attorney costs.
- Extend eligibility for nondisclosure to certain misdemeanors and state jail felonies.
- Remove the ability of 33 state agencies to view people’s records.

**Texas leaders should also take a further step and pass “New Wings” legislation:**

- Expand eligibility for nondisclosure to certain felonies to help more people access jobs and housing.
- Shorten the waiting periods for nondisclosure, depending on the offense.

## Relevant Bills

*Clean Slate "automation"*

- **Bill Number:** **HB 1737** [Leach]  
**Bill Caption:** Relating to automatic orders of nondisclosure of criminal history record information for certain misdemeanor defendants following successful completion of a period of deferred adjudication community supervision.
- **Bill Number:** **SB 499** [Zaffirini; Perry]  
**Bill Caption:** Relating to automatic orders of nondisclosure of criminal history record information for certain misdemeanor defendants following successful completion of a period of deferred adjudication community supervision.

### *Clean Slate "eligibility"*

- **Bill Number:** **HB 4362** [Ann Johnson]  
**Bill Caption:** Relating to the eligibility of certain criminal defendants for an order of nondisclosure of criminal history record information.
- **Bill Number:** **SB 1628** [Zaffirini]  
**Bill Caption:** Relating to the eligibility of certain criminal defendants for an order of nondisclosure of criminal history record information.
- **Bill Number:** **HB 283** [Jarvis Johnson]  
**Bill Caption:** Relating to the eligibility of certain criminal defendants for an order of nondisclosure of criminal history record information.
- **Bill Number:** **SB 1383** [Miles]  
**Bill Caption:** Relating to the eligibility of certain criminal defendants for an order of nondisclosure of criminal history record information.
- **Bill Number:** **HB 392** [Senfronia Thompson; Sherman, Sr.]  
**Bill Caption:** Relating to the date on which certain persons placed on deferred adjudication community supervision are eligible to file a petition for an order of nondisclosure of criminal history record information.

### *New Wings*

- **Bill Number:** [HB 2300](#) [Allen]  
**Bill Caption:** Relating to the eligibility of certain criminal defendants for an order of nondisclosure of criminal history record information.

## Other Materials

- TCJE webpage: [Statewide Leadership Council 2023 Priorities](#) (opens in a new tab)(Clean Slate and New Wings) [2022-23]
- Clean Slate Texas website: [Fighting for Texans' right to a clean slate](#) (opens in a new tab)[2021-23]

*See the [fact sheets on the Clean Slate package of bills](#). And see [polling results](#) showing that Texans support record-clearing reforms.*

- Statewide Leadership Council video: [Testimony on New Wings Bill](#), with members testifying before the House Corrections Committee [April 2021]
- TCJE [testimony on legislative priorities, including Clean Slate](#), submitted to the House Criminal Jurisprudence Committee [March 2021]
- Statewide Leadership Council video: [Introduction to Clean Slate Legislation](#) (opens in a new tab)[January 2021]

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<sup>1</sup> TimeDone, "TimeDone Day 2022—Texas-at-a-Glance"; *fact sheet available upon request*.