

EXPUNCTIONS JUVENILES AND MINORS



	Alcoholic Beverage Code Sec. 106.12	Health & Safety Code Sec. 161.255	Code of Criminal Procedure Art. 45.055	Code of Criminal Procedure Art. 45.0216
Offenses	<ul style="list-style-type: none"> • Purchase of Alcohol by a Minor (Section 106.02); • Attempt to Purchase Alcohol by a Minor (Section 106.025); • Consumption of Alcohol by a Minor (Section 106.04); • Driving or Operating Watercraft Under the Influence of Alcohol by Minor (DUI) (Section 106.041); • Possession of Alcohol by a Minor (Section 106.05); and • Misrepresentation of Age by a Minor (Section 106.07). 	Possession, Purchase, Consumption, Or Receipt Of Cigarettes Or Tobacco Products By Minors Prohibited (Section 161.252).	Failure to Attend School (Section 25.094, E.C.) <i>Court must inform of right to expunction in open court and give copy of law to child and parent.</i>	Penal Offenses <i>Court must inform of right to expunction in open court and give copy of law to child and parent.</i> Penal Code-Class C misdemeanors Education Code offenses: <ul style="list-style-type: none"> • Rules Enacted by School Board (Section 37.102); • Trespass on School Grounds (Section 37.107); • Possession of Intoxicants on School Grounds (Section 37.122); • Disruption of Classes (Section 37.124); • Disruption of Transportation (Section 37.126); and • A Member of a Fraternity, Sorority, Secret Society, or Gang that is not Sanctioned by Higher Education (Section 37.121). Possession of Drug Paraphernalia (Section 481.125, H.S.C.) City ordinance penal offenses
Age to Apply	At least age 21.	No age requirement.	At least age 18.	At least age 17.
Requirements	Must have had only one conviction while a minor under A.B.C.	Multiple convictions may be expunged, but must have completed tobacco awareness program or tobacco-related community service.	Must have had only one conviction.	Only one conviction of any penal fine-only offense described in Section 8.07(a)(4) or (5), P.C. <small>*Also applies to dismissals of penal offenses under Article 45.052, C.C.P. (Teen Court) or Article 45.051, C.C.P. (Deferred Disposition).</small>
Court Petitioned	Municipal court in which convicted.	Municipal court in which convicted.	Municipal court in which convicted.	Municipal court in which convicted.
Affidavit	Sworn statement that they have had only one conviction.	Sworn statement that they have completed tobacco awareness program or tobacco-related community service.	Sworn statement that they have had only one conviction.	Sworn statement that they have had only one conviction.
Hearing	Optional	Optional	Optional	Optional
Fee	January 1, 2006 \$30 fee required	January 1, 2006 \$30 fee required	January 1, 2006 \$30 fee required	January 1, 2006 \$30 fee required