

HB 1027 -- Expungement of Certain Criminal Records

Sponsor: Nasheed

This bill authorizes the expungement of certain criminal records of adults and minors prosecuted as adults. Convictions for any violation of prostitution under Section 567.020, RSMo; any misdemeanor or felony violation of Chapter 195; or certain municipal ordinance violations or misdemeanors may be expunged. The expungement of a record is allowed only when at least five years has elapsed since the person requesting expungement has completed his or her imprisonment, period of probation, or period of parole and the person has not been convicted of or been placed on probation for a misdemeanor or felony during the same period and has not had any other petition for expungement granted. The expungement of records will not be allowed for driving while intoxicated, driving with excessive blood-alcohol content, any misdemeanor violation of Section 568.050 or 568.052, any municipal ordinance violation or misdemeanor offense committed by a holder of a commercial driver's license, any misdemeanor offense requiring registration as a sexual offender, or any violation of an order of protection issued under Chapter 455.

Any individual wanting to expunge a criminal record is required to file a petition in the civil division of the circuit court naming as defendants all entities whom the petitioner has reason to believe may possess the record. The court must schedule a hearing on the expungement petition no sooner than 30 days from the filing of the petition and must give reasonable notice of the hearing to each official agency or other entity named in the petition. If a court grants the order of expungement, the records and files maintained in any administrative or court proceeding in an associate circuit or circuit court for any offense ordered expunged will be confidential and only available to the parties or by order of the court for good cause shown.