

## HB 1677 -- Expungement of Certain Criminal Records

Sponsor: Ellinger

This bill authorizes a person to apply to any court in which he or she pled guilty or was found guilty for the expungement of the criminal records for certain offenses. A conviction for any municipal offense or infraction, and certain misdemeanors may be expunged. The expungement of a record is allowed only when at least eight years have elapsed since the person requesting the expungement has completed his or her imprisonment or period of probation or parole and the person has not been convicted of or been placed on probation for a misdemeanor or felony during that period.

Any individual wanting to expunge a criminal record may file a verified petition for expungement in the civil division of the circuit court where at least one of the violations occurred naming as defendants all agencies and 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 the 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. An individual is only allowed to have one petition for expungement granted under these provisions. A surcharge of \$500 must be assessed as costs on all petitions for expungement filed under these provisions and deposited into the General Revenue Fund.