

HB 341 -- EXPUNGEMENT OF MARIJUANA-RELATED OFFENSES

SPONSOR: Hicks

The bill specifies that the Department of Health and Senior Services shall apply on behalf of a person who obtains a patient ID card under Article 16, Section 1 of the Missouri Constitution to have any marijuana-related misdemeanor offenses or municipal violations expunged if such offense or violation occurred in Missouri prior to the issuance of the patient ID card and was prosecuted under the jurisdiction of a Missouri Associate Circuit or Circuit Court or a municipal court, so long as all marijuana-related misdemeanor offenses or municipal violations to be expunged are listed on the petition for expungement completed by the department. The bill specifies terms for how the department shall petition on behalf of the individual. The court shall enter an order of expungement of records related to the marijuana-related misdemeanor offenses or municipal violations if, after the hearing, the court determines that the above requirements are satisfied.

Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court or in municipal court shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such individual to the status he or she occupied prior to such arrest, plea, or conviction and as if such event had never taken place. An individual shall be entitled to only one expungement under this section. Nothing in the bill prevents the department from maintaining such records as to ensure that an individual receives only one expungement for the purpose of informing the proper authorities of the contents of any record maintained under the section.