2018 Regular Session

HOUSE BILL NO. 377

BY REPRESENTATIVES HAZEL, BACALA, BAGNERIS, CARPENTER, DUPLESSIS, HODGES, HOWARD, JAMES, MACK, MARCELLE, MARINO, NORTON, PYLANT, AND STEFANSKI

CRIMINAL/PROCEDURE: Provides relative to expungements

1	AN ACT
2	To amend and reenact Code of Criminal Procedure Articles 989, 992, 993, and 994, relative
3	to expungement; to provide with respect to expungement forms; to make technical
4	changes to the forms; to extend the amount of time that a background check may be
5	used in a motion for an expungement; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. Code of Criminal Procedure Articles 989, 992, 993, and 994 are hereby
8	amended and reenacted to read as follows:
9	Art. 989. Motion for expungement forms to be used
10	STATE OF LOUISIANA
11	JUDICIAL DISTRICT FOR THE PARISH OF
12	
12 13	No.: Division: ""
	No.: Division: "" State of Louisiana
13	
13 14	State of Louisiana
13 14 15	State of Louisiana
13 14 15 16	State of Louisiana vs.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	I.	DEFENDANT IN	NFORMA	TION	
2 3	NAM	IE:	First,	M	<i>I</i>)
4	DOB				(MM/DD/YYYY)
5	GEN			_Female	
6	SSN	(last 4 digits):		 -XX-	
7	RAC	E:			
8	DRIV	/ER LIC.#			
9	ARR	ESTING AGENCY:			
10	SID#	(if available):			
11		EST NUMBER <u>(AT</u>			
12		NCY ITEM NO.			
13					of his arrest/conviction pursuant to
14	Louis				971 et seq. and states the following
15	in su				
16	II.	ARREST INFOR	RMATIO	N	
17	1.	Mover was arreste	ed on	/	/(MM/DD/YYYY)
18	2.	YES			mental sheet with arrests and/or
19			-		ns is attached after page 2 of this
20				Motion.	
21	3.	Mover was:			
22		YES	NO	Arrested,	but it did not result in conviction
23		YES			d of and seeks to expunge a
24			-	misdemea	
25		YES	NO		of and seeks to expunge a felony
26		YES			d but determined to be factually
27		~			and entitled to compensation for a
28					conviction pursuant to the
29				-	s of R.S. 15:572.8.
				-	

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1	4. Mover	r was t	booked and/or charged with the follow	wing offenses: (List each
2	offens	e bool	ked and charged separately. Attach	a supplemental sheet, if
3	necess	ary.)		
4	Yes	No	ARRESTS THAT DID NOT RES	SULT IN CONVICTION
5	ITEM NO. 1		La. Rev. Stat. Ann.	§::
6			Name of the offense	
7			() Time expired for prosecution	
8				(MM/DD/YYYY)
9			() Not prosecuted for any offense	
10			arising out of this charge.	
11			() Pre-trial Diversion Program.	
12			() DWI Pre-Trial Diversion Progr	am
13			and 5 years have elapsed since	the
14			date of arrest.	
15			() Charge dismissed	
16			() Found not guilty/judgment of a	cquittal
17	ITEM NO. 2		La. Rev. Stat. Ann.	§::
18			Name of the offense	
19			() Time expired for prosecution	
20				(MM/DD/YYYY)
21			() Not prosecuted for any	
22			offense arising out of this char	ge.
23			() Pre-trial Diversion Program.	
24			() Charge dismissed	
25			() Found not guilty/judgment of a	cquittal
26	HTEM NO. 3		La. Rev. Stat. Ann.	§:
27			Name of the offense	
28			() Time expired for prosecution	
29				(MM/DD/YYYY)

1		() Not prosecuted for any offense	
2		arising out of this charge.	
3		() Pre-trial Diversion Program.	
4		() Charge dismissed	
5		() Found not guilty/judgment of ac	quittal
6	Yes No	MISDEMEANOR CONVICTION	S
7	HTEM NO. 1	La. Rev. Stat. Ann.	§:
8		Name of the offense	
9		() Conviction set aside/dismissed	//
10		pursuant to C.Cr.P. Art. 894(B)	(MM/DD/YYYY)
11		() More than 5 years have passed	
12		since completion of sentence.	
13	HTEM NO. 2	La. Rev. Stat. Ann.	§:
14		Name of the offense	
15		() Conviction set aside/dismissed	//
16		pursuant to C.Cr.P. Art. 894(B)	(MM/DD/YYYY)
17		() More than 5 years have passed	
18		since completion of sentence.	
19	YesNo	FELONY CONVICTIONS	
20	HTEM NO. 1	La. Rev. Stat. Ann.	§:
21		() Conviction set aside/dismissed	//
22		pursuant to C.Cr.P. Art. 893(E)	(MM/DD/YYYY)
23		() More than 10 years have passed	
24		since completion of sentence	
25	HTEM NO. 2	La. Rev. Stat. Ann.	§:
26		() Conviction set aside/dismissed	//
27		pursuant to C.Cr.P. Art. 893(E)	(MM/DD/YYYY)
28		() More than 10 years have passed	
29		since completion of sentence	

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1	Yes	No OPERATING A MOTOR VEHICLE WHILE
2		INTOXICATED CONVICTIONS
3	Mover has at	ached the following:
4	()	A copy of the proof from the Department of Public Safety and
5		Corrections, office of motor vehicles, that it has received from the
6		clerk of court a certified copy of the record of the plea, fingerprints
7		of the defendant, and proof of the requirements set forth in C.Cr.P.
8		Art. 556, which shall include the defendant's date of birth, last four
9		digits of social security number, and driver's license number
10	5. Mover has	attached to this Motion the following pertinent documents:
11		Criminal Background Check from the La. State Police/Parish Sheriff
12		dated within the past $\frac{30}{60}$ days (required).
13		Bill(s) of Information (if any).
14		Minute entry showing final disposition of case (if any).
15		Certification Letter from the District Attorney for fee waiver (if
16		eligible).
17		Certification Letter from the District Attorney verifying that the
18		applicant has no convictions or pending applicable criminal charges
19		in the requisite time periods.
20		Certification Letter from the District Attorney verifying that the
21		charges were refused.
22		Certification Letter from the District Attorney verifying that the
23		applicant did not participate in a pretrial diversion program.
24		A copy of the order waiving the sex offender registration and
25		notification requirements.
26		Documentation verifying that the mover has been employed for ten
27		consecutive years.

1	\Box A copy of the court order determination of factual innocence and
2	order of compensation for a wrongful conviction pursuant to the
3	provisions of R.S. 15:572.8 if applicable.
4	The Mover prays that if there is no objection timely filed by the arresting law
5	enforcement agency, the district attorney's office, or the Louisiana Bureau of
6	Criminal Investigation Identification and Information, that an order be issued herein
7	ordering the expungement of the record of arrest and/or conviction set forth above,
8	including all photographs, fingerprints, disposition, or any other such information,
9	which record shall be confidential and no longer considered a public record, nor be
10	made available to other persons, except a prosecutor, member of a law enforcement
11	agency, or a judge who may request such information in writing, certifying that such
12	request is for the purpose of prosecuting, investigating, or enforcing the criminal law,
13	for the purpose of any other statutorily defined law enforcement or administrative
14	duties, or for the purpose of the requirements of sex offender registration and
15	notification pursuant to the provisions of R.S. 15:541 et seq. or as an order of this
16	Court to any other person for good cause shown, or as otherwise authorized by law.
17	If an "Affidavit of No Opposition" by each agency named herein is attached
18	hereto and made a part hereof, Defendant requests that no contradictory hearing be
19	required and the Motion be granted ex parte.
20	Respectfully submitted,
21 22	Signature of Attorney for Mover/Defendant
23 24	Attorney for Mover/Defendant Name
25 26	Attorney's Bar Roll No.
27 28 29 30 31	Address City, State, ZIP Code
32 33	Telephone Number

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1	If not represented by counsel:
2 3	Signature of Mover/Defendant
4 5	Mover/Defendant Name
6 7 8 9 10	Address
11	City, State, ZIP Code
12	Telephone Number
13	* * *
14	Art. 992. Order of expungement form to be used
15	STATE OF LOUISIANA
16	JUDICIAL DISTRICT FOR THE PARISH OF
17	
18	No.: Division: ""
19	State of Louisiana
20	vs.
21	
22	ORDER OF EXPUNGEMENT OF ARREST/CONVICTION RECORD
23	Considering the Motion for Expungement
24	\Box The hearing conducted and evidence adduced herein, OR
25	\Box Affidavits of No Opposition filed,
26	IT IS ORDERED, ADJUDGED AND DECREED
27	$\Box \qquad \text{THE MOTION IS DENIED for } \frac{\text{Item}(s) \text{ No. } \underline{\text{No}(s)}}{1 + 1 + 1 + 1 + 1 + 1 + 1 + 1 + 1 + 1 +$
28	following reasons (check all that apply):
29	\Box More than five years have not elapsed since Mover completed the
30	misdemeanor conviction sentence.
31	\Box More than ten years have not elapsed since Mover completed the
32	felony conviction sentence.

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1	Mover was convicted of one of the following ineligible felony
2	offenses:
3	A violation of the Uniform Controlled Dangerous Substances
4	Law which is ineligible to be expunged.
5	\Box An offense currently listed as a sex offense that requires
6	registration pursuant to La. Rev. Stat. Ann. 15:540 et seq., at
7	the time the Motion was filed, regardless of whether the duty
8	to register was ever imposed.
9	\Box An offense defined or enumerated as a "crime of violence"
10	pursuant to La. Rev. Stat. Ann. 14:2(B) at the time the
11	Motion was filed.
12	The arrest and conviction being sought to have expunged is for
13	operating a motor vehicle while intoxicated and a copy of the proof
14	from the Department of Public Safety and Corrections, office of
15	motor vehicles, is not attached as required by C.Cr.P. Art. 984(A).
16	Mover has had another record of misdemeanor conviction expunged
17	during the previous five-year period.
18	The record of arrest and conviction which Mover seeks to have
19	expunged is for operating a motor vehicle while intoxicated and
20	Mover has had another record of arrest and misdemeanor conviction
21	expunged during the previous ten-year period.
22	Mover has had another record of felony conviction expunged during
23	the previous fifteen-year period.
24	Mover was convicted of a misdemeanor which arose from
25	circumstances involving a sex offense as defined in R.S. 15:541.
26	Mover was convicted of misdemeanor offense of domestic abuse
27	battery which was not dismissed pursuant to C.Cr.P. Art. 894(B).
28	Mover did not complete pretrial diversion.
29	The charges against the mover were not dismissed or refused.

1		Mover's felony conviction was not set aside and dismissed pursuant
2		to C.Cr.P. Art. 893(E).
3		Mover's felony conviction was not set aside and dismissed pursuant
4		to C.Cr.P. Art. 894(B).
5		Mover completed a DWI pretrial diversion program, but five years
6		have not elapsed since the mover's date of arrest.
7		Mover's conviction for felony carnal knowledge of a juvenile is not
8		defined as misdemeanor carnal knowledge of a juvenile had the
9		mover been convicted on or after August 15, 2001.
10		Mover has not been employed for ten consecutive years as required
11		by Article 978(E)(1)(d).
12		Mover was not convicted of a crime that would be eligible for
13		expungement as required by Article 978(E)(1).
14		Mover has criminal charges pending against him.
15		Mover was convicted of a criminal offense during the ten-year
16		period.
17		Denial for any other reason provided by law with attached reasons for
18		denial.
19		THE MOTION IS HEREBY GRANTED for Item(s) No. No(s).
20		and all agencies are ordered to expunge the record of
21	arrest/	conviction and any photographs, fingerprints, or any other such
22	inform	ation of any kind maintained in connection with the
23	Arrest	(s)/Conviction(s) in the above-captioned matter, which record shall be
24	confid	ential and no longer considered a public record, nor be available to
25	other p	persons except a prosecutor, member of a law enforcement agency, or
26	a judg	e who may request such information in writing certifying that such
27	reques	t is for the purpose of prosecuting, investigating, or enforcing the
28	crimin	al law, for the purpose of any other statutorily defined law
29	enforc	ement or administrative duties, or for the purpose of the requirements

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1

2

3

of sex offender registration and notification pursuant to the provisions of R.S.
15:541 et seq. or upon an order of this Court to any other person for good
cause shown, or as otherwise authorized by law.

4 THE MOTION IS HEREBY GRANTED FOR EXPUNGEMENT 5 BY REDACTION If the record includes more than one individual and the mover 6 is entitled to expungement by redaction pursuant to Code of Criminal Procedure 7 Article 985, for Item(s) No. No(s). _____ and all agencies are ordered to 8 expunge the record of arrest/conviction and any photographs, fingerprints, or any 9 other such information of any kind maintained in relation to the 10 Arrest(s)/Conviction(s) in the above-captioned matter as they relate to the mover 11 only. The record shall be confidential and no longer considered a public record, nor 12 be available to other persons except a prosecutor, member of a law enforcement 13 agency, or a judge who may request such information in writing certifying that such 14 request is for the purpose of prosecuting, investigating, or enforcing the criminal law, 15 for the purpose of any other statutorily defined law enforcement or administrative 16 duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541 et seq. or upon an order of this 17 18 Court to any other person for good cause shown, or as otherwise authorized by law.

19 20	NAME:(Last, First, MI)
21	DOB:/(MM/DD/YY)
22	GENDER:FemaleMale
23	SSN (last 4 digits): XXX-XX
24	RACE:
25	DRIVER LIC.#
26	ARRESTING AGENCY:
27	SID# (if available):
28	ARREST NUMBER (ATN):
29	AGENCY ITEM NUMBER:
30	ARREST DATE:/ (MM/DD/YY)



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1	THUS ORDERED AND SIGNED this day of, 20
2	at, Louisiana.
3 4	JUDGE
5	PLEASE SERVE:
6	1. District Attorney:
7	2. Arresting Agency:
8	3. Parish Sheriff:
9	4. Louisiana Bureau of Criminal Identification and Information
10	5. Attorney for Defendant (or defendant)
11	6. Clerk of Court
12	Art. 993. Supplemental forms to be used
13	SUPPLEMENTAL SHEET
14	YesNo ARRESTS THAT DID NOT RESULT IN CONVICTION
15	ITEM NO. La. Rev. Stat. Ann. §:
16	Name of the offense
17 18	() Time expired for prosecution ////////////////////////////////////
19	() Charge refused by DA - not prosecuted.
20	() Pre-trial Diversion Program.
21	() Charge dismissed
22	() Found not guilty/judgment of acquittal
23	ITEM NO. La. Rev. Stat. Ann. §:
24	Name of the offense
25 26	() Time expired for prosecution ////////////////////////////////////
27	() Charge refused by DA - not prosecuted.
28	() Pre-trial Diversion Program.
29	() Charge dismissed
30	() Found not guilty/judgment of acquittal

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			HB NO. 377
1	HTEM NO.	La. Rev. Stat. Ann.	§:
2		Name of the offense	
3 4		() Time expired for prosecution	// (MM/DD/YYYY)
5		() Charge refused by DA - not pro	osecuted.
6		() Pre-trial Diversion Program.	
7		() Charge dismissed	
8		() Found not guilty/judgment of a	cquittal
9	HTEM NO	La. Rev. Stat. Ann.	§::
10		Name of the offense	
11 12		() Time expired for prosecution	// (MM/DD/YYYY)
13		() Charge refused by DA - not pro	osecuted.
14		() Pre-trial Diversion Program.	
15		() Charge dismissed	
16		() Found not guilty/judgment of a	cquittal
17	HTEM NO.	La. Rev. Stat. Ann.	§::
18		Name of the offense	
19		() Time expired for prosecution	
20 21		() Charge refused by DA - not pro	(MM/DD/YYYY) osecuted.
22		() Pre-trial Diversion Program.	
23		() Charge dismissed	
24		() Found not guilty/judgment of a	cquittal
25	HTEM NO.	La. Rev. Stat. Ann.	§::
26		Name of the offense	
27 28		() Time expired for prosecution	// (MM/DD/YYYY)
29		() Charge refused by DA - not pro	osecuted.
30		() Pre-trial Diversion Program.	
31		() Charge dismissed	
32		() Found not guilty/judgment of a	cquittal

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1		SUPPLEMENTAL SHEET	
2	YesNo	MISDEMEANOR CONVICTION	S
3	ITEM NO	La. Rev. Stat. Ann.	§:
4		Name of the offense	
5		() Conviction set aside/dismissed	// (MM/DD/YYYY)
6 7		pursuant to C.Cr.P. Art. 894(B)	
8		() More than 5 years have passed	
9		since completion of sentence.	
10	HTEM NO	La. Rev. Stat. Ann.	§::
11		Name of the offense	
12 13		() Conviction set aside/dismissed	// (MM/DD/YYYY)
13		pursuant to C.Cr.P. Art. 894(B)	
15		() More than 5 years have passed	
16		since completion of sentence.	
17	ITEM NO	La. Rev. Stat. Ann.	§:
18		Name of the offense	
19 20		() Conviction set aside/dismissed	// (MM/DD/YYYY)
20 21		pursuant to C.Cr.P. Art. 894(B)	
22		() More than 5 years have passed	
23		since completion of sentence.	
24	HTEM NO.	La. Rev. Stat. Ann.	§:
25		Name of the offense	
26 27		() Conviction set aside/dismissed	// (MM/DD/YYYY)
28		pursuant to C.Cr.P. Art. 894(B)	
29		() More than 5 years have passed	
30		since completion of sentence.	

				ПВ NO. 377
1	ITEM NO	La. Rev. Stat. Ann.	§ _	
2		Name of the offense	_	
3		() Conviction set aside/dismissed		<u> </u>
4				(MM/DD/YYYY)
5		pursuant to C.Cr.P. Art. 894(B)		
6		() More than 5 years have passed		
7		since completion of sentence.		
8	ITEM NO.	La. Rev. Stat. Ann.	8	
9		Name of the offense		
10		() Conviction set aside/dismissed	_	/ /
11		()		(MM/DD/YYYY)
12		pursuant to C.Cr.P. Art. 894(B)		(
13		() More than 5 years have passed		
14		since completion of sentence.		
15	HTEM NO.	La. Rev. Stat. Ann.	§ _	:
16		Name of the offense	_	
17		() Conviction set aside/dismissed		//
18				(MM/DD/YYYY)
19		pursuant to C.Cr.P. Art. 894(B)		
20		() More than 5 years have passed		
21		since completion of sentence.		
22	HTEM NO	La. Rev. Stat. Ann.	§ _	:
23		Name of the offense	_	
24		() Conviction set aside/dismissed	_	<u> </u>
25				(MM/DD/YYYY)
26		pursuant to C.Cr.P. Art. 894(B)		
27		() More than 5 years have passed		
28		since completion of sentence.		

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			HB NO. 3//
1	HTEM NO.	La. Rev. Stat. Ann.	§:
2		Name of the offense	
3		() Conviction set aside/dismissed	//
4			(MM/DD/YYYY)
5		pursuant to C.Cr.P. Art. 894(B)	
6		() More than 5 years have passed	
7		since completion of sentence.	
8		SUPPLEMENTAL SHEET	
9	Yes No	FELONY CONVICTIONS	
10	ITEM NO	La. Rev. Stat. Ann.	§:
11		Name of the offense	
12		() Conviction set aside/dismissed	
13 14		pursuant to C.Cr.P. Art. 893(E)	(MM/DD/YYYY)
15		() More than 10 years have passed	
16		since completion of sentence	
17	ITEM NO	La. Rev. Stat. Ann.	§:
18		Name of the offense	
19		() Conviction set aside/dismissed	<u> </u>
20 21		pursuant to C.Cr.P. Art. 893(E)	(MM/DD/YYYY)
22		() More than 10 years have passed	
23		since completion of sentence	
24	ITEM NO	La. Rev. Stat. Ann.	§:
25		Name of the offense	
26		() Conviction set aside/dismissed	//
27 28		pursuant to C.Cr.P. Art. 893(E)	(MM/DD/YYYY)
29		() More than 10 years have passed	
30		since completion of sentence	
31	HTEM NO.	La. Rev. Stat. Ann.	§:
32		Name of the offense	
33		since completion of sentence	

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			HB NO. 3//
1	ITEM NO	La. Rev. Stat. Ann.	§:
2		Name of the offense	
3		() Conviction set aside/dismissed	
4 5		pursuant to C.Cr.P. Art. 893(E)	(MM/DD/YYYY)
6		() More than 10 years have passed	
7		since completion of sentence	
8	HTEM NO	La. Rev. Stat. Ann.	§:
9		Name of the offense	
10		() Conviction set aside/dismissed	//
11 12		pursuant to C.Cr.P. Art. 893(E)	(MM/DD/YYYY)
13		() More than 10 years have passed	
14		since completion of sentence	
15	HTEM NO	La. Rev. Stat. Ann.	§:
16		Name of the offense	
17		() Conviction set aside/dismissed	//
18 19		pursuant to C.Cr.P. Art. 893(E)	(MM/DD/YYYY)
20		() More than 10 years have passed	
21		since completion of sentence	
22	HTEM NO	La. Rev. Stat. Ann.	§:
23		Name of the offense	
24		() Conviction set aside/dismissed	//
25 26		pursuant to C.Cr.P. Art. 893(E)	(MM/DD/YYYY)
27		() More than 10 years have passed	
28		since completion of sentence	
29	HTEM NO	La. Rev. Stat. Ann.	§:
30		Name of the offense	
31		() Conviction set aside/dismissed	//
32 33		pursuant to C.Cr.P. Art. 893(E)	(MM/DD/YYYY)
34		() More than 10 years have passed	
35		since completion of sentence	

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1	Art. 9	994. Motion for interim expungement form to be used		
2 3 4		"STATE OF LOUISIANA JUDICIAL DISTRICT FOR THE PARISH OF		
4 5	No.:	Division: ""		
6 7 8	_	State of Louisiana vs.		
9		MOTION FOR INTERIM EXPUNGEMENT		
10 11	follow	NOW INTO COURT comes mover, who provides the court with the following information in connection with this request:		
12	I.	DEFENDANT INFORMATION		
13 14	NAM	IE:		
15	DOB	:/(MM/DD/YYYY)		
16	GEN	DERFemaleMale		
17	SSN	(last 4 digits): XXX-XX		
18	RAC	E:		
19	DRIV	VER LIC.#		
20	ARR	ESTING AGENCY:		
21	SID#	(if available):		
22	ARR	EST NUMBER <u>(ATN)</u> :		
23	AGE	NCY ITEM NO.		
24		Mover is entitled to an interim expungement of the entry of the felony		
25	charg	e(s) of his arrest pursuant to Louisiana Code of Criminal Procedure Article		
26	985.1	and states the following in support:		
27	II.	ARREST INFORMATION		
28	1.	Mover was arrested on/ (MM/DD/YYYY)		
29 30 31 32	2. 3.	YES NO A supplemental sheet with arrests and/or convictions is attached after page 2 of this Motion.		
33 34 35		YESNOArrested for a felony offense.YESNOConvicted of a misdemeanor arising out of that felony offense.		

1 2 3		e	e following offenses: (List each ttach a supplemental sheet, if		
4 5	YesNo	FELONY ARREST T MISDEMEANOR CONVI	HAT RESULTED IN A CTION		
6 7 8	ITEM NO. 1	La. Rev. Stat. Ann. Name of the offense	§:		
9 10 11 12		 () Felony charge dismissed () Convicted of misdemear felony arrest. 			
13 14 15			nal background check from the within the past thirty sixty days		
16	The mover p	rays that if there is no objection	timely filed by the arresting law		
17	enforcement agency	enforcement agency, the District Attorney's Office, or the Louisiana Bureau of			
18	Criminal Identificati	Criminal Identification and Information, that an order be issued herein ordering the			
19	Louisiana Bureau	of Criminal Identification and	d Investigation Information to		
20	expunge the entry of	the felony charge(s) listed conta	ained in the criminal history; and		
21	further that the Cler	k of Court, District Attorney,	and arresting law enforcement		
22	agency expunge the	entry of those felony charge(s)	from any public indices.		
23	If an "Affida	vit of No Opposition" by each a	agency named herein is attached		
24	hereto and made a p	art hereof, Defendant requests	that no contradictory hearing be		
25	required and the Mo	tion be granted ex parte.			
26		Respe	ctfully submitted,		
27 28		Signature of A	Attorney for Mover/Defendant		
29 30		Attorney for I	Mover/Defendant Name		
31 32		Attorney's Ba	r Roll No.		
33 34 35		Address			
36		City, State, Z	IP Code		

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1 2			Telephone Number
3			If not represented by counsel:
4 5			Signature of Mover/Defendant
6 7			Mover/Defendant Name
8 9			Address
10 11			City, State, ZIP Code
12 13			Telephone Number
14	PLEA	ASE SERVE:	
15	1.	District Attorney	
16	2.	Louisiana Bureau of Crimina	al Identification and Information
17	3.	Arresting Agency	

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 377 Reengrossed	2010 D 1 C \cdot	
HR 3// Reengrossed	2018 Regular Session	

Hazel

Abstract: Extends the amount of time a background check may be used in motions for expungement.

<u>Present law</u> provides for the expungement of criminal records and provides for the forms which shall be used to seek an expungement.

<u>Proposed law</u> amends the <u>present law</u> forms for a motion for expungement and a motion for interim expungement to extend <u>from</u> 30 days to 60 days the amount of time that a background check may be used in seeking an expungement. <u>Proposed law</u> also makes technical corrections to present law motion for expungement forms.

(Amends C.Cr.P. Arts. 989, 992, 993, and 994)

Summary of Amendments Adopted by House

- The Committee Amendments Proposed by <u>House Committee on Administration of</u> <u>Criminal Justice to the original bill:</u>
- 1. Make technical corrections to <u>present law</u> expungement forms.