The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Whitney Kauffeld.

DIGEST

SB 334 Engrossed 2022 Regular Session Jackson

Present law provides for qualifications for a person to file a motion to expunge his record of arrest and conviction, including that the conviction was set aside and prosecution dismissed, more than 10 years have elapsed from the completion of the sentence without any additional convictions, the offender is entitled to a first offender pardon, or upon a contradictory hearing.

Proposed law retains present law and provides for the additional qualification that the conviction was for the offense of attempted malfeasance in office.

Present law provides forms for a motion to set aside a conviction and for expungement.

Proposed law retains present law and adds that a person may file a motion to set aside a conviction and receive an expungement for the crime of attempted malfeasance in office.

Proposed law retains present law but provides there is no offense of attempted malfeasance in office.

Effective August 1, 2022.

(Amends C.Cr.P. Art. 978, 987, and 989; adds R.S. 14:134(D))