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## DIGEST

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HB 416 Reengrossed

2024 Regular Session

Jordan

**Abstract:** Provides for an immediate expungement of certain criminal records under certain circumstances.

Present law provides for the expungement of criminal records for certain offenders and provides conditions for obtaining an expungement.

Proposed law retains present law.

Present law (C.Cr.P. Art. 983) provides for costs of expungements.

Proposed law retains present law and exempts a person who is eligible for an immediate expungement from the expungement fees provided in present law.

Proposed law adds that the court may order the immediate expungement of the arrest and conviction of the violation that necessitated participation in the probation or program for a person who is otherwise eligible for an expungement upon the successful completion of a court-ordered probation or alternative sentencing program.

Proposed law provides that only the form provided in present law (C.Cr.P. Art. 992) shall be used to expunge the record of a person who is otherwise eligible for an expungement upon the successful completion of a court-ordered probation or alternative sentencing program.

Proposed law provides that the immediate expungement shall be served pursuant to the provisions of present law (C.Cr.P. Art. 982) and shall include the court record with the signed order with all of the following:

- (1) The bill of information.
- (2) The sentencing minutes.
- (3) Any documents or records relevant to the arrest incident and plea agreements, if available.

(Adds C.Cr.P. Arts. 983(N) and 985.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Clarify that the expungement is "immediate" rather than "automatic".

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Specify that a court may order the immediate expungement of the arrest and conviction of the violation that necessitated participation in the probation or program.
3. Provide the expungement form to be used.
4. Provide for service of the immediate expungement pursuant to present law (C.Cr.P. Art. 982) and specify what information is to be included within the signed order.
5. Exempt a person who is eligible for an immediate expungement from the expungement fees provided in present law.