
The original instrument was prepared by Alden A. Clement Jr. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jonathon Wagner.

SB 116 Engrossed DIGEST 2024 Regular Session Jackson-Andrews

Present law authorizes a person to file a motion to expunge his record of arrest and conviction of a felony offense under the following circumstances:

- (1) More than 10 years have elapsed since the person completed any sentence, deferred adjudication, or period of probation or parole.
- (2) The person has not been convicted of any other criminal offense during the 10-year period.
- (3) The person has no criminal charge pending against him.

Present law requires that the motion for expungement include a certification obtained from the district attorney verifying that the applicant has no convictions during the 10-year period and no pending charges.

Proposed law provides that a person is eligible to have more than one felony expunged in a 10-year period if each is otherwise eligible for expungement under present law.

Proposed law otherwise retains present law.

Present law provides a form for the order of expungement to be used by the court.

Proposed law retains present law and adds a provision to conform to proposed law relative to noncapital felony convictions during the preceding 10-year period that do not bar expungement.

Effective August 1, 2024.

(Amends C.Cr.P. Art. 992, adds C.Cr.P. Art. 978(F))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Allow a person to have multiple felonies expunged if each felony is independently eligible for expungement.
2. Change present law form to allow felonies eligible for expungement under proposed law to be expunged.