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The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jonathon Wagner.

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## CONFERENCE COMMITTEE REPORT DIGEST

SB 116

2024 Regular Session

Jackson-Andrews

### Keyword and summary of the bill as proposed by the Conference Committee

CRIMINAL RECORDS. Provides relative to the expungement of felony convictions.  
(8/1/24)

#### Report rejects House amendments which would have:

1. Added provisions relative to filing a motion for expungement after 10 years since completion of sentence, deferred adjudication, or period of probation or parole and for certification by the district attorney.

#### Report amends the bill to:

1. Make technical changes.
2. Provide that a person seeking expungement of a felony conviction has not been convicted of any other criminal offense for a period of 10 years immediately preceding the motion for expungement.
3. Delete proposed law prohibiting more than one expungement for certain offenses.

#### Digest of the bill as proposed by the Conference Committee

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 requires no felony conviction during the 10-year period immediately preceding the motion to expunge.

Proposed law further provides that a person is eligible to have more than one felony conviction expunged in a 10-year period if each conviction 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. 978(A)(2) and 992; adds C.Cr.P. Art. 978(F))