

RÉSUMÉ DIGEST

ACT 580 (SB 116)

2024 Regular Session

Jackson-Andrews

Existing 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.

Existing 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.

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

New law otherwise retains existing law.

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

New law retains the existing law form and adds a provision to conform it to new 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))