

RÉSUMÉ DIGEST

ACT 151 (SB 27)

2015 Regular Session

Broome

Prior law authorized a person to file a motion to expunge his record of arrest and conviction of a misdemeanor offense if either of the following occur:

- (1) The conviction was set aside and the prosecution was dismissed.
- (2) More than five years have elapsed since the person completed any sentence, deferred adjudication, or period of probation or parole, and the person has not been convicted of any felony offense during the five-year period, and has no felony charge pending against him.

Prior law prohibited the expungement of a record if the misdemeanor conviction was for domestic abuse battery which was not dismissed.

Prior law authorized a person to file a motion to expunge his record of arrest and conviction of a felony offense if either of the following occur:

- (1) The conviction was set aside and the prosecution was dismissed.
- (2) More than 10 years have elapsed since the person completed any sentence, deferred adjudication, or period of probation or parole based on the felony conviction, and the person has not been convicted of any other criminal offense during the ten-year period, and has no criminal charge pending against him.

New law prohibits the expungement of records of all misdemeanor and felony convictions of domestic abuse battery.

Effective upon signature of the governor (June 23, 2015).

(Amends C.Cr.P. Art. 977(C)(2); Adds C.Cr.P. Art. 978(B)(4))