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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

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DIGEST

SB 357 Original

2022 Regular Session

Jackson

Present law provides for a contradictory hearing where the court has discretion to order the expungement of the arrest and conviction records of a person who was convicted of aggravated battery, second degree battery, aggravated criminal damage to property, simple robbery, purse snatching, or illegal use of weapons or dangerous instrumentalities if all of the following conditions are proven by the petitioner:

- (1) 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.
- (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.

Proposed law retains present law but adds the crime of manslaughter to be considered for expungement, and changes the number of years from 10 to five to meet the conditions. Further provides as a condition that the person has been gainfully employed with no lapse in employment for more than 30 days during the five year period.

Effective August 1, 2022.

(Amends C.Cr.P. Art. 978(E))