AN ACT

To amend and reenact Code of Criminal Procedure Article 983(H) and (I), to enact Code of Criminal Procedure Article 983(J) and (K), and to repeal Code of Criminal Procedure Article 983(F)(4), relative to expungement of records; to provide relative to the fees for expungement of a record; to provide for exemptions of fees in certain expungement cases; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 983(H) and (I) are hereby amended and reenacted and Code of Criminal Procedure Article 983(J) and (K) are hereby enacted to read as follows:

Art. 983. Costs of expungement of a record; fees; collection; exemptions; disbursements

* * *

H. Notwithstanding any other provision of law to the contrary, a person who was determined to be factually innocent and entitled to compensation for a wrongful conviction pursuant to the provisions of R.S. 15:572.8 shall be exempt from payment of the processing fees otherwise authorized by this Article.

I. Notwithstanding any other provision of law to the contrary, a person who has been granted a pardon shall be exempt from payment of the processing fees otherwise authorized by this Article. However, no person granted a first offender pardon pursuant to Article IV, Section 5(E)(1) of the Constitution of Louisiana shall be exempt from payment of the processing fees otherwise authorized by this Article.

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
If an application for an expungement of a record includes two or more offenses arising out of the same arrest, including misdemeanors, felonies, or both, the applicant shall be required to pay only one fee as provided for by this Article.

Notwithstanding any provision of law to the contrary, an applicant for the expungement of a record, other than as provided in Paragraphs F and G of this Article, may proceed in forma pauperis in accordance with the provisions of Code of Civil Procedure Article 5181 et seq.

Section 2. Code of Criminal Procedure Article 983(F)(4) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________