

<b>FOR OFFICE USE ONLY</b>	

**HOUSE FLOOR AMENDMENTS**

2022 Regular Session

Amendments proposed by Representative Marino to Engrossed House Bill No. 774 by Representative Glover

1 AMENDMENT NO. 1

2 On page 1, line 2, after "To" and before "relative" delete "enact Code of Criminal Procedure  
3 Article 977(D)," and insert the following

4  
5 "amend and reenact Code of Criminal Procedure Article 986(A) and (C) and to enact  
6 Code of Criminal Procedure Articles 977(D) and 997,"

7 AMENDMENT NO. 2

8 On page 1, line 5, after "marijuana;" and before "to" insert "to provide relative to the  
9 expungement form for misdemeanor marijuana convictions;"

10 AMENDMENT NO. 3

11 On page 1, line 8, after "Section 1." delete the remainder of the line and insert the following:

12 "Code of Criminal Procedure Article 986(A) and (C) are hereby amended and  
13 reenacted and Code of Criminal Procedure Articles 977(D) and 997 are hereby  
14 enacted to read as"

15 AMENDMENT NO. 4

16 On page 1, between lines 17 and 18, insert the following:

17 "Art. 986. Forms for the expungement of records  
18 A. Only the forms provided for in Articles 987, 988, 989, 990, 991, 992, 993,  
19 994, ~~and 995, and 997~~ of this Code shall be used for filing motions to expunge a  
20 record of an arrest which did not result in a conviction, for the expungement of a  
21 record of arrest and conviction of a misdemeanor or felony offense, or for an interim  
22 motion to expunge a felony offense which resulted in a misdemeanor conviction.

23 \* \* \*

24 C. The clerk of court for any court in the state of Louisiana having criminal  
25 jurisdiction may amend any of the forms provided for in Articles 987, 988, 989, 990,  
26 991, 992, 993, 994, ~~and 995, and 997~~ to provide the appropriate name of the court  
27 ordering an expungement of records.

28 \* \* \*

29 Art. 997. Motion for expungement form to be used for certain misdemeanor  
30 convictions

31 **STATE OF LOUISIANA**  
32 **JUDICIAL DISTRICT FOR THE PARISH OF**

33  
34 No.: \_\_\_\_\_ Division: " \_\_\_\_\_ "

35 State of Louisiana

36 vs.

37

1 **MOTION FOR EXPUNGEMENT FOR MISDEMEANOR CONVICTION FOR**  
2 **POSSESSION OF MARIJUANA PURSUANT TO R.S. 40:966(C)(2)(a)**  
3 NOW INTO COURT comes mover, who provides the court with the following  
4 information in connection with this request:

5 **I. DEFENDANT INFORMATION**

6 NAME: \_\_\_\_\_

7 (Last, First, MI)

8 DOB: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (MM/DD/YYYY)

9 GENDER \_\_\_\_\_ Female \_\_\_\_\_ Male

10 SSN (last 4 digits): \_\_\_\_\_ XXX-XX-\_\_\_\_\_

11 RACE: \_\_\_\_\_

12 DRIVER LIC.# \_\_\_\_\_

13 ARRESTING AGENCY: \_\_\_\_\_

14 SID# (if available): \_\_\_\_\_

15 ARREST NUMBER (ATN): \_\_\_\_\_

16 AGENCY ITEM NO. \_\_\_\_\_

17 Mover is entitled to expunge the record of his arrest/conviction pursuant to Louisiana  
18 Code of Criminal Procedure Article 971 et seq. and states the following in support:

19 **II. MISDEMEANOR CONVICTION FOR POSSESSION OF MARIJUANA**  
20 **PURSUANT TO R.S. 40:966(C)(2)(a)**

21 1. Mover was convicted on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (MM/DD/YYYY)

22 The Mover prays that if there is no objection timely filed by the arresting law  
23 enforcement agency, the district attorney's office, or the Louisiana Bureau of  
24 Criminal Identification and Information, that an order be issued herein ordering the  
25 expungement of the record of arrest and/or conviction set forth above, including all  
26 photographs, fingerprints, disposition, or any other such information, which record  
27 shall be confidential and no longer considered a public record, nor be made available  
28 to other persons, except a prosecutor, member of a law enforcement agency, or a  
29 judge who may request such information in writing, certifying that such request is  
30 for the purpose of prosecuting, investigating, or enforcing the criminal law, for the  
31 purpose of any other statutorily defined law enforcement or administrative duties,  
32 or for the purpose of the requirements of sex offender registration and notification  
33 pursuant to the provisions of R.S. 15:541 et seq. or as an order of this Court to any  
34 other person for good cause shown, or as otherwise authorized by law.

35 If an "Affidavit of No Opposition" by each agency named herein is attached hereto  
36 and made a part hereof, Defendant requests that no contradictory hearing be required  
37 and the Motion be granted ex parte.

38 Respectfully submitted,

39 \_\_\_\_\_  
40 Signature of Attorney for Mover/Defendant

41 \_\_\_\_\_  
42 Attorney for Mover/Defendant Name

43 \_\_\_\_\_  
44 Attorney's Bar Roll No.

45 \_\_\_\_\_  
46 Address

47 \_\_\_\_\_  
48 \_\_\_\_\_  
49 City, State, ZIP Code

50 \_\_\_\_\_  
51 Telephone Number

52 **If not represented by counsel:**

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11

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Signature of Mover/Defendant

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Mover/Defendant Name

---

Address

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City, State, ZIP Code

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Telephone Number"