

ACT No. 36

2022 Regular Session

HOUSE BILL NO. 162

BY REPRESENTATIVE MARINO

1 AN ACT

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

7 Be it enacted by the Legislature of Louisiana:

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

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

13 * * *

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

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

1 H. J. If an application for an expungement of a record includes two or more
2 offenses arising out of the same arrest, including misdemeanors, felonies, or both,
3 the applicant shall be required to pay only one fee as provided for by this Article.

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

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 Code of Criminal Procedure Article 983(F)(4) is hereby repealed in its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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____