

**HOUSE COMMITTEE AMENDMENTS**

2023 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 286 by Representative Boyd

1 AMENDMENT NO. 1

2 On page 1, line 2, after "Procedure" and before "986(A)" change "Articles 983(J), (K), and  
3 (L) and" to "Article"

4 AMENDMENT NO. 2

5 On page 1, at the beginning of line 8, delete "exemptions of"

6 AMENDMENT NO. 3

7 On page 1, line 12, after "Procedure" and before "986(A)" change "Articles 983(J), (K), and  
8 (L), and" to "Article"

9 AMENDMENT NO. 4

10 On page 2, line 1, change "R.S. 40:966(C)(2)(a) or (b)" to "R.S. 40:966(C)(2)(a)"

11 AMENDMENT NO. 5

12 On page 2, delete lines 7 through 23 in their entirety and insert the following:

13 "M.(1) Notwithstanding Paragraph B of this Article, the total cost to obtain  
14 a court order expunging a record of a misdemeanor first offense involving the  
15 possession of marijuana, tetrahydrocannabinol, or chemical derivatives thereof  
16 pursuant to R.S. 40:966(C)(2)(a) shall not exceed three hundred dollars. The  
17 nonrefundable processing fees for a court order expunging such record shall be as  
18 follows:

19 (a) The Louisiana Bureau of Criminal Identification and Information may  
20 charge a processing fee of fifty dollars for the expungement of the record when  
21 ordered to do so by the court in compliance with the provisions of this Title.

22 (b) The sheriff may charge a processing fee of fifty dollars for the  
23 expungement of the record when ordered to do so by the court in compliance with  
24 the provisions of this Title.

25 (c) The district attorney may charge a processing fee of fifty dollars for the  
26 expungement of the record when ordered to do so by the court in compliance with  
27 the provisions of this Title.

28 (d) The clerk of court may charge a processing fee of one hundred fifty  
29 dollars to cover the clerk's costs of the expungement.

30 (2) The clerk of court shall collect all processing fees at the time the motion  
31 for expungement is filed.

32 (3) The clerk shall immediately direct the collected processing fee provided  
33 for in Subsubpragraph (1)(a) of this Paragraph to the Louisiana Bureau of Criminal  
34 Identification and Information, and the processing fee amount shall be deposited  
35 immediately upon receipt into the Criminal Identification and Information Dedicated  
36 Fund Account.

37 (4) The clerk shall immediately direct the collected processing fees provided  
38 for in Subsubparagraphs (1)(b) and (c) of this Paragraph to the sheriff and the district  
39 attorney, and the processing fee amount shall be remitted immediately upon receipt  
40 in equal proportions to the office of the district attorney and the sheriff's general  
41 fund.

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

1                   (5) The provisions of this Paragraph shall be null, void, and without effect  
2                   and shall terminate on August 1, 2026."

3    AMENDMENT NO. 6

4    On page 3, line 19, change "**R.S. 40:966(C)(2)(a) or (b)**" to "**R.S. 40:966(C)(2)(a)**"

5    AMENDMENT NO. 7

6    On page 4, line 8, change "**R.S. 40:966(C)(2)(a) or (b)**" to "**R.S. 40:966(C)(2)(a)**"