

GREEN SHEET REDIGEST

HB 416

2024 Regular Session

Jordan

CRIMINAL/RECORDS: Provides relative to expungement of criminal records.

DIGEST

Proposed law provides that the court may order the immediate expungement of the arrest and conviction of the violation that necessitated participation in the probation or program for a person who is otherwise eligible for an expungement upon the successful completion of a court-ordered probation or alternative sentencing program.

Proposed law provides that only the form provided in present law is to be used to expunge the record of a person who is otherwise eligible for an expungement upon the successful completion of a court-ordered probation or alternative sentencing program.

Proposed law provides that the immediate expungement will be served pursuant to the provisions of present law and must include the court record with the signed order with all of the following:

- (1) The bill of information.
- (2) The sentencing minutes.
- (3) Any documents or records relevant to the arrest incident and plea agreements, if available.

(Adds C.Cr.P. Art. 985.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Clarify that the expungement is "immediate" rather than "automatic".

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Specify that a court may order the immediate expungement of the arrest and conviction of the violation that necessitated participation in the probation or program.
3. Provide the expungement form to be used.
4. Provide for service of the immediate expungement pursuant to present law (C.Cr.P. Art. 982) and specify what information is to be included within the signed order.
5. Exempt a person who is eligible for an immediate expungement from the expungement fees provided in present law.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the reengrossed bill

1. Delete proposed law relative to certain expungement fees.
2. Make technical changes.