

2026 Regular Session

HOUSE BILL NO. 151

BY REPRESENTATIVE BOYER

CRIMINAL/RECORDS: Provides relative to expungement of arrest information

1 AN ACT

2 To enact Code of Criminal Procedure Article 978.1, relative to expungement; to provide for
3 submission of documents to the Bureau of Criminal Identification and Information
4 with a motion to expunge; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 978.1 is hereby enacted to read as
7 follows:

8 Art. 978.1. Requirements for submitting motion to expunge arrest information

9 A. The following documents, if any exist, shall be submitted to the Bureau
10 of Criminal Identification and Information in addition to the motion to expunge
11 arrest information:

12 (1) Bills of information.

13 (2) Court minute entries showing final disposition of the case.

14 (3) In the absence of court minutes, a charge disposition report.

15 (4) A copy of the first offender pardon or governor's "gold seal" pardon.

16 (5) Order for set aside or dismissal pursuant to Article 893 or 894.

17 B. The following documents, if applicable, shall be submitted to the

18 of Criminal Identification and Information in addition to the motion to expunge
19 arrest information and documents required in Paragraph A of this Article:

- 1 (1) Criminal background check from the Louisiana State Police or a
2 respective sheriff's office dated within sixty days prior.
- 3 (2) Certification letter from the district attorney for a fee waiver.
- 4 (3) Certification letter from the district attorney verifying that the applicant
5 has no convictions or pending applicable criminal charges within the requisite time
6 periods.
- 7 (4) Certification letter from the district attorney verifying that the charges
8 were refused.
- 9 (5) Certification letter from the district attorney verifying that the applicant
10 did not participate in a pretrial diversion program.
- 11 (6) A copy of the order waiving the sex offender registration and notification
12 requirements.
- 13 (7) A copy of the court order determination of factual innocence and order
14 of compensation for a wrongful conviction pursuant to the provisions of R.S.
- 15 15:572.8.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 151 Original

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Boyer

Abstract: Requires a person making a motion to expunge arrest information to provide additional documentation to the Bureau of Criminal Identification and Information.

Present law provides for motions to expunge.

Proposed law retains present law and requires someone making a motion to expunge arrest information to also provide bills of information, court minutes, a pardon copy, and a motion to set aside or dismiss, if they exist, to the Bureau of Criminal Identification and Information in addition to the motion to expunge.

Proposed law requires someone making a motion to expunge arrest information to provide, if applicable, a criminal background check, a letter from the district attorney for a fee waiver, certifications from the district attorney regarding criminal charges and pretrial diversion programs, sex offender notification waiver, and a determination of innocence.

(Adds C.Cr.P. Art. 978.1)