

1 AN ACT relating to actions for forcible entry and detainer.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 383 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) On or after the effective date of this Act, if a court enters an order of forcible*  
6 *entry or detainer for unpaid rent during the COVID-19 pandemic, which began*  
7 *on March 6, 2020, the defendant may petition the court within ninety (90) days of*  
8 *the entry of the order for expungement of the record in the case. If the court finds*  
9 *that the petition is properly brought, the court shall grant the petition and order*  
10 *the expunging of the records.*

11 *(2) An order of expungement pursuant to this subsection (1) of this section shall*  
12 *expunge all records in the custody of the court and any records in the custody of*  
13 *any other agency or official, including law enforcement records. Every agency*  
14 *that is ordered to expunge records shall certify to the court within sixty (60) days*  
15 *of the entry of the expungement order that the required expunging action has*  
16 *been completed. All orders enforcing the expungement procedure shall also be*  
17 *expunged.*

18 *(3) After the expungement, the proceedings in the matter shall be deemed never to*  
19 *have occurred. The court and other agencies shall delete or remove the records*  
20 *from their computer systems so that any official state-performed background*  
21 *check will indicate that the records do not exist. The court and other agencies*  
22 *shall reply to any inquiry that no record exists on the matter. The person whose*  
23 *record is expunged shall not have to disclose the fact of the record or any matter*  
24 *relating thereto on an application for employment, credit, or other type of*  
25 *application.*

26 *(4) Inspection of the records included in the order may thereafter be permitted by the*  
27 *court only upon petition by the person who is the subject of the records and only*

1 to those persons named in the petition.

2 →Section 2. KRS 383.250 is amended to read as follows:

3 The clerk of the court shall carefully preserve all papers, records and proceedings, relating  
4 to the cause~~;~~ and ~~shall deliver, to any person requiring it, a transcript thereof~~. For any  
5 case expunged pursuant to Section 1 of this Act, the files and records of the court shall  
6 not be open to inspection by persons other than parties to the proceedings and their  
7 attorneys except under order of the court expressly permitting inspection. Upon the  
8 entry of the final order in the case, the clerk shall place all papers and records in the  
9 case in a suitable envelope which shall be sealed and shall not be open for inspection  
10 without a written order of the court.