
DIGEST

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HB 707 Engrossed

2022 Regular Session

Duplessis

Abstract: Provides for automated expungement of certain qualifying criminal records.

Present law provides for the expungement of records of arrest and misdemeanor and felony convictions in certain circumstances.

Proposed law provides for automated expungement of qualifying records. Requires the La. Bureau of Criminal Identification and Information (bureau) to identify within its criminal repository database all records with final dispositions for individuals eligible for an expungement pursuant to the provisions of present law (C.Cr.P. Arts. 976, 977, and 978).

Proposed law provides that on Aug. 1, 2024, and every 30 days thereafter, the bureau shall send the records with final dispositions for individuals eligible for an expungement pursuant to present law to the La. Supreme Court Case Management Information System.

Proposed law requires the La. Supreme Court Case Management Information System, within 30 days of receipt of records from the bureau, to send notice by U.S. mail or electronically of all records expunged by automation to the clerks of the district courts. The clerks shall verify and identify such records as expunged by automation.

Proposed law requires the clerks of the district courts to send notice by U.S. mail or electronically of all records expunged by automation to the La. Supreme Court Case Management and Information System, the bureau, the district attorney of the parish of the person's conviction, the sheriff of the parish of the person's conviction, and the arresting agency. The Louisiana Supreme Court Case Management and Information System, the bureau, the district attorney, the sheriff, and the arresting agency shall identify such records as expunged by automation.

Proposed law authorizes state police and the supreme court to adopt and promulgate rules and regulations to carry out the provisions of proposed law for criminal records in district courts which date back to Jan. 1, 2000.

(Adds C.Cr.P. Art. 985.2)

Summary of Amendments Adopted by House

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

1. Require the La. Supreme Court Case Management Information System to send notice by U.S. mail or electronically of all records identified pursuant to proposed law to be expunged to the clerks of the district courts.
2. Remove the requirement for the bureau to identify records as expunged by automation and require the clerks of the district courts to verify and identify such records.
3. Require the clerks of the district courts to also send notice by U.S. mail or electronically of all records expunged by automation to the La. Supreme Court Case Management and Information System and the bureau.
4. Require the La. Supreme Court Case Management and Information System and the bureau to identify records as expunged by automation.