

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 3265

with committee amendments

# STATE OF NEW JERSEY

DATED: MAY 20, 2024

The Assembly Judiciary Committee adopts amendments to Assembly Bill No. 3265.

This bill would expand, in several ways, expungement eligibility to allow more persons to petition the Superior Court for expungement relief:

- It would eliminate the cap on the number of convictions for crimes, disorderly persons offenses, and petty disorderly persons offenses that a person could expunge;

- It would eliminate the limitation on the number of times a person could be granted expungement relief based on convictions for crimes, disorderly persons offenses, and petty disorderly persons offenses;

- It would allow for convictions of first degree and second degree crimes for the sale or distribution of any form of controlled dangerous substance to be expunged, if the court found that the expungement “is consistent with the public interest” (such expungements are only currently permitted for convictions of either the third degree or fourth degree crime);

- It would allow a so-called “young drug offender” (a person who is 21 years of age or younger at the time of committing the offense), who is eligible for expedited expungement relief under current law (see N.J.S.2C:52-5), to be granted such expedited relief even if that offender had violated a condition of probation or parole, has on record a conviction for another crime or violation of the State’s drug laws, or had a previous criminal matter dismissed because of acceptance into a supervisory treatment or other diversion program; and

It would repeal N.J.S.2C:52-32, which expresses the current State policy favoring limitations on the availability of expungement relief based on the number of convictions a person has or the number of times expungement relief was previously sought.

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to reflect recent statutory enactments.