

HOUSE BILL NO. HB0114

Expungement of juvenile records.

Sponsored by: Representative(s) Pelkey, Barlow, Biteman,
Blackburn, Bovee, Clem, Connolly, Lindholm
and Miller and Senator(s) Bouchard, Case,
Driskill and Rothfuss

A BILL

for

1 AN ACT relating to criminal procedure and juveniles;
2 amending expungement provisions to allow the state or a
3 municipality to petition for the expungement of juvenile
4 records; providing that filing fees for petitions to
5 expungement juvenile records are not required; and
6 providing for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 7-13-1401(a) (intro) and by creating a
11 new subsection (k) and 14-6-241(a) and by creating new
12 subsections (d) and (e) are amended to read:

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1 **7-13-1401. Petition for expungement; records of**
2 **arrest, dismissal of charges, disposition; eligibility; no**
3 **filing fee.**

4
5 (a) A person, or the state with regard to a petition
6 for the expungement of records pertaining to a juvenile,
7 may petition the court in which a proceeding occurred, or
8 would have occurred, for an order expunging records of
9 arrest, charges or dispositions which may have been made in
10 the case, subject to the following limitations:

11
12 (k) The state may file a petition for the expungement
13 of a juvenile arrest record without service on the
14 juvenile.

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16 **14-6-241. Expungement of records in juvenile and**
17 **municipal courts.**

18
19 (a) Any person adjudicated delinquent as a result of
20 having committed a delinquent act, other than a violent
21 felony as defined by W.S. 6-1-104(a)(xii), under the
22 provisions of this act may petition the court for the
23 expungement of his record in the juvenile court upon

1 reaching the age of majority. If after investigation the
2 court finds that the petitioner has not been convicted of a
3 felony since adjudication, that no proceeding involving a
4 felony is pending or being instituted against the
5 petitioner and the rehabilitation of the petitioner has
6 been attained to the satisfaction of the court or the
7 prosecuting attorney, it shall order expunged all records
8 in the custody of the court or any agency or official,
9 pertaining to the petitioner's case. Copies of the order
10 shall be sent to each agency or official named in the
11 order. Upon entry of an order the proceedings in the
12 petitioner's case are deemed never to have occurred and the
13 petitioner may reply accordingly upon any inquiry in the
14 matter.

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16 (d) The state or municipality may petition the court
17 for the expungement of a record in the juvenile court,
18 circuit court or municipal court pursuant to subsections
19 (a) through (c) of this section, upon the person who was
20 adjudicated delinquent or convicted reaching the age of
21 majority.

22

1 (e) No filing fee shall be required for a petition
2 for the expungement of a juvenile record.

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4 **Section 2.** This act is effective immediately upon
5 completion of all acts necessary for a bill to become law
6 as provided by Article 4, Section 8 of the Wyoming
7 Constitution.

8

9

(END)