

2016 Regular Session

HOUSE BILL NO. 194

BY REPRESENTATIVES JAMES AND HUNTER

CRIMINAL/PROCEDURE: Provides for exemption of expungement fees in certain circumstances

1 AN ACT

2 To enact Code of Criminal Procedure Article 983(F)(5), relative to expungement of arrest  
3 records in misdemeanor and felony cases; to provide for an exemption of fees in  
4 certain expungement cases; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 983(F)(5) is hereby enacted to read  
7 as follows:

8 Art. 983. Costs of expungement of a record; fees; collection; exemptions;  
9 disbursements

10 \* \* \*

11 F. An applicant for the expungement of a record shall not be required to pay  
12 any fee to the clerk of court, the Louisiana Bureau of Criminal Identification and  
13 Information, sheriff, the district attorney, or any other agency to obtain or execute  
14 an order of a court of competent jurisdiction to expunge the arrest from the  
15 individual's arrest record if a certification obtained from the district attorney is  
16 presented to the clerk of court which verifies that the applicant has no felony  
17 convictions and no pending felony charges under a bill of information or indictment  
18 and at least one of the following applies:

19 \* \* \*

20 (5) Concerning the arrest record which the applicant seeks to expunge, the  
21 applicant was determined by the district attorney to be a victim of a violation of R.S.



The House Floor Amendments to the engrossed bill:

1. Requires that the district attorney make the determination of whether the person is a victim of identity theft or one of the other crimes included in proposed law.