2019 Regular Session

HOUSE BILL NO. 9

BY REPRESENTATIVE MARINO

1	AN ACT
2	To amend and reenact Code of Criminal Procedure Articles 972(4) and 983(H) and to enact
3	Code of Criminal Procedure Article 983(I), relative to expungement of records; to
4	provide relative to the definition of records; to amend the definition to include
5	warrants or attachments for failing to comply with a notice or summons to appear in
6	court; to provide relative to costs of expungement of a record; to provide for
7	circumstances when two or more offenses arise out of the same arrest; and to provide
8	for related matters.
9	Be it enacted by the Legislature of Louisiana:
10	Section 1. Code of Criminal Procedure Articles 972(4) and 983(H) are hereby
11	amended and reenacted and Code of Criminal Procedure Article 983(I) is hereby enacted to
12	read as follows:
13	Art. 972. Definitions
14	As used in this Title:
15	* * *
16	(4) "Records" includes any incident reports, photographs, fingerprints,
17	disposition, or any other such information of any kind in relation to a single arrest
18	event in the possession of the clerk of court, any criminal justice agency, and local
19	and state law enforcement agencies but shall not include DNA records. Records
20	shall also include records of an arrest based on a warrant or attachment for failure to
21	appear in court for the same offense or offenses for which the person is seeking an
22	expungement.
23	* * *

1 Art. 983. Costs of expungement of a record; fees; collection; exemptions; 2 disbursements 3 4 H. If an application for an expungement of a record includes two or more offenses arising out of the same arrest, including misdemeanors, felonies, or both, 5 the applicant shall be required to pay only one fee as provided for by this Article. 6 7 H.I. Notwithstanding any provision of law to the contrary, an applicant for 8 the expungement of a record, other than as provided in Paragraphs F and G of this 9 Article, may proceed in forma pauperis in accordance with the provisions of Code 10 of Civil Procedure Article 5181 et seq. SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

ENROLLED

HB NO. 9

APPROVED: _____