

2024 Regular Session

HOUSE BILL NO. 416

BY REPRESENTATIVE JORDAN

CRIMINAL/RECORDS: Provides relative to expungement of criminal records

1 AN ACT

2 To enact Code of Criminal Procedure Article 985.3, relative to expungement of criminal
3 records; to provide for a court-ordered immediate expungement in certain cases; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 985.3 is hereby enacted to read as
7 follows:

8 Art. 985.3. Immediate expungement; judicial discretion

9 Notwithstanding any other provision of this Chapter to the contrary, the court
10 may order the immediate expungement of a person who is otherwise eligible for an
11 expungement upon the successful completion of a court-ordered probation or
12 alternative sentencing program.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 416 Engrossed

2024 Regular Session

Jordan

Abstract: Provides for an immediate expungement of certain criminal records under certain circumstances.

Present law provides for the expungement of criminal records for certain offenders and provides conditions for obtaining an expungement.

Proposed law retains those provisions of present law.

Proposed law adds that the court may order the immediate expungement of criminal records for a person who is otherwise eligible for an expungement upon the successful completion of a court-ordered probation or alternative sentencing program.

(Adds C.Cr.P. Art. 985.3)

Summary of Amendments Adopted by House

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

1. Clarify that the expungement is "immediate" rather than "automatic".