

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 606 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 44:9(A)(3)(a), (5)(a), (c)" to "R.S. 44:9(A)(5)(c)"

AMENDMENT NO. 2

On page 1, line 2, change "(B)(1)(b) and (2)," to "(B)(2),"

AMENDMENT NO. 3

On page 1, line 3, after "(E)(1)(b)" delete the comma "," and insert "and to enact R.S. 44:9(B)(3) and (C)(3),"

AMENDMENT NO. 4

On page 1, line 7, change "R.S. 44:9(A)(3)(a), (5)(a), (c)" to "R.S. 44:9(A)(5)(c)"

AMENDMENT NO. 5

On page 1, line 7, change "(B)(1)(b) and (2)," to "(B)(2),"

AMENDMENT NO. 6

On page 1, line 8, after "reenacted" insert "and R.S. 44:9(B)(3) and (C)(3) are hereby enacted"

AMENDMENT NO. 7

On page 1, delete lines 11 through 17 and on page 2, delete lines 1 through 12 and insert the following:

"A.

* * *

(5)"

AMENDMENT NO. 8

On page 2, line 18, after "indictment." delete the remainder of the line and delete lines 19 and 20 and insert in lieu thereof "**Within sixty days of receiving the movant's written request, the district attorney shall provide the certification or deny the request.**"

AMENDMENT NO. 9

On page 2, line 22, after "district attorney" insert "and the arresting law enforcement agency"

AMENDMENT NO. 10

On page 3, delete lines 1 through 7 and insert the following:

"B.

* * *

AMENDMENT NO. 11

On page 3, between lines 7 and 8, insert the following:

"(2) Before filing the motion of expungement, a movant shall deliver a written request to the district attorney for a certification that verifies that his office declines to prosecute on the offense, or that prosecution has been instituted, and such proceedings have been finally disposed of by acquittal, dismissal, or sustaining a motion to quash and that the record of arrest and prosecution for the offense is without substantial probative value as a prior act for any subsequent prosecution. Within sixty days of receiving the movant's written request, the district attorney shall provide the certification or deny the request."

AMENDMENT NO. 12

On page 3, at the beginning of line 8, change "(2)" to "**(3)**"

AMENDMENT NO. 13

On page 3, line 9, after "district attorney" insert "and the arresting law enforcement agency"

AMENDMENT NO. 14

On page 3, line 11, after "expunge the" delete "**arrest record**" and insert "record of the same"

AMENDMENT NO. 15

On page 3, between lines 17 and 18, insert the following:

"(2) Before filing the motion of expungement, a movant shall deliver a written request to the district attorney for a certification that verifies that the time limitation for the institution of prosecution on the offense has expired and no prosecution has been instituted. Within sixty days of receiving the movant's written request, the district attorney shall provide the certification or deny the request."

AMENDMENT NO. 16

On page 3, at the beginning of line 18, change "(2)" to "**(3)**"

AMENDMENT NO. 17

On page 3, at the beginning of line 19, insert "arresting agency **and**"

AMENDMENT NO. 18

On page 3, line 21, after "expunge" delete the remainder of the line and on line 22, delete "**Section**." and insert in lieu thereof "same in accordance herewith."

1 AMENDMENT NO. 19

2 On page 3, line 27, after "district attorney" insert "and the arresting law enforcement agency"