



LEGISLATIVE FISCAL OFFICE  
Fiscal Note

Fiscal Note On: **SB 606** SLS 12RS 621

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action: **w/ HSE COMM AMD**

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 31, 2012	6:56 AM	<b>Author:</b> MORRELL
<b>Dept./Agy.:</b> Public Safety		
<b>Subject:</b> Expungements		<b>Analyst:</b> Matthew LaBruyere

PUBLIC RECORDS

RE1 NO IMPACT See Note

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Provides relative to expungement of records. (gov sig)

Proposed legislation provides that before filing the motion for expungement, the movant shall deliver a written request to the district attorney (DA) for a certification that verifies the information required by present law. Proposed legislation provides that the order for expungement occurs after notice and an opportunity for a contradictory hearing, instead of after a contradictory hearing. Proposed legislation retains present law and additionally provides that before filing the motion of expungement, a movant shall deliver a written request to the DA 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. Proposed legislation retains present law and additionally provides that before filing the motion of expungement, a movant shall deliver a written request to the DA 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. Proposed legislation requires the DA to provide the certification or deny the request within 60 days of receiving any of the movant's written requests.

EXPENDITURES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The proposed legislation allows the District Attorney an additional 30 days to provide certification or request a contradictory hearing regarding a movant’s request for expungement.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate	Dual Referral Rules	House	<i>Evan Brasseaux</i>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	<b>Evan Brasseaux Staff Director</b>