

2016 Regular Session

HOUSE BILL NO. 194

BY REPRESENTATIVES JAMES AND HUNTER AND SENATORS CARTER AND MILLS

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.
22 14:67.3 (unauthorized use of "access card"), a violation of R.S. 14:67.16 (identity

1 theft), a violation of R.S. 14:70.4 (access device fraud), or a violation of any other
2 crime which involves the unlawful use of the identity or personal information of the
3 applicant.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____