

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Section 1 amends Section 29-3A-3 entitled “Expungement of Records Upon Identity Theft”

Subsection B is amended to delete the time requirement that the court issue an order within thirty days of the hearing.

Section 2 amends Section 29-3A-4 entitled “Expungement of Records Upon Release without Conviction”

Subsection B is amended to delete the requirement that a petitioner seeking expungement under this section shall give notice to the department of public safety; therefore, the only party that must be given notice is the local district attorney.

Subsection E deletes the time requirement that the court issue an order within thirty days of the hearing.

Section 3 amends Section 29-3A-5 entitled “Expungement of Records Upon Conviction”

Subsection B is amended to delete the requirement that a petitioner seeking expungement under this section shall give notice to the department of public safety and the arresting law enforcement agency; therefore, the only party that must be given notice is the local district attorney.

Subsection C is amended to delete the time requirement that the court issue an order within thirty days of the hearing.

Subsection G is amended to delete embezzlement as an offense for which expungement under this section cannot be sought; therefore, an offense committed against a child, an offense that causes great bodily harm or death to another person, a sex offense, or a DWI are the only offenses for which expungement cannot be sought under this section.

Section 4 repeals Section 29-10-8 entitled “Review of Arrest Record Information – Appeal”.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

None noted.

SIGNIFICANT ISSUES

None noted.

PERFORMANCE IMPLICATIONS

None noted.

ADMINISTRATIVE IMPLICATIONS

None noted.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None noted.

TECHNICAL ISSUES

None noted.

OTHER SUBSTANTIVE ISSUES

None noted.

ALTERNATIVES

n/a

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

n/a