

1 SB174
2 173489-1
3 By Senator Whatley
4 RFD: Judiciary
5 First Read: 09-FEB-16

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8 SYNOPSIS: Under existing law, a person charged with a
9 crime that is committed when he or she is under the
10 age of 19 may be charged as a youthful offender.

11 Also under existing law, a person charged
12 with a misdemeanor criminal offense, traffic
13 violation, or municipal ordinance violation and
14 certain felony offenses may petition the circuit
15 court to have the criminal record expunged if the
16 charge was dismissed or if he or she meets other
17 limited conditions.

18 This bill would provide for the expungement
19 of the criminal record of a youthful offender.

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21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 To add Section 15-27-2.1 to the Code of Alabama
26 1975; to provide for the expungement of the criminal record of
27 a person charged as a youthful offender.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 15-27-2.1 is added to the Code of
3 Alabama 1975, to read as follows:

4 §15-27-2.1.

5 (a) Except as provided in subsection (b), a person
6 who has been charged or convicted as a youthful offender may
7 petition the criminal division of the circuit court in the
8 county in which the charges were filed to expunge the criminal
9 record of the youthful offender.

10 (b) If the youthful offender is treated as an adult
11 sex offender pursuant to Section 15-20A-35, the criminal
12 record of the youthful offender may not be expunged.

13 (c) A youthful offender petitioning for expungement
14 shall satisfy, and be subject to, all other procedures or
15 requirements of this chapter relating to the expungement of
16 criminal records.

17 Section 2. This act shall become effective on the
18 first day of the third month following its passage and
19 approval by the Governor, or its otherwise becoming law.