

1 AN ACT relating to actions for forcible entry and detainer.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 383 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) On or after the effective date of this Act, if a court enters an order on forcible*  
6 *entry or detainer:*

7 *(a) For the defendant, the court shall order the record expunged upon the*  
8 *expiration of thirty (30) days; or*

9 *(b) For the plaintiff, the court shall order the record expunged upon the*  
10 *expiration of one (1) year.*

11 *The order expunging the records shall not require any action by the person.*

12 *(2) An order of expungement pursuant to this section shall expunge all records in*  
13 *the custody of the court and any records in the custody of any other agency or*  
14 *official, including law enforcement records. Every agency that is ordered to*  
15 *expunge records shall certify to the court within sixty (60) days of the entry of the*  
16 *expungement order that the required expunging action has been completed. All*  
17 *orders enforcing the expungement procedure shall also be expunged.*

18 *(3) After the expungement, the proceedings in the matter shall be deemed never to*  
19 *have occurred. The court and other agencies shall delete or remove the records*  
20 *from their computer systems so that any official state-performed background*  
21 *check will indicate that the records do not exist. The court and other agencies*  
22 *shall reply to any inquiry that no record exists on the matter. The person whose*  
23 *record is expunged shall not have to disclose the fact of the record or any matter*  
24 *relating thereto on an application for employment, credit, or other type of*  
25 *application.*

26 *(4) Inspection of the records included in the order may thereafter be permitted by the*  
27 *court only upon petition by the person who is the subject of the records and only*

1        to those persons named in the petition.

2        ➔Section 2. KRS 383.250 is amended to read as follows:

3        The clerk of the court shall carefully preserve all papers, records and proceedings, relating  
4        to the cause~~;~~ and shall deliver, to any person requiring it, a transcript thereof]. The files  
5        and records of the court shall not be open to inspection by persons other than parties to  
6        such proceedings and their attorneys except under order of the court expressly  
7        permitting inspection. Upon the entry of the final order in the case, the clerk shall  
8        place all papers and records in the case in a suitable envelope which shall be sealed  
9        and shall not be open for inspection without a written order of the court.