

ACT No. 560

HOUSE BILL NO. 416

BY REPRESENTATIVES JORDAN, CARPENTER, WILFORD CARTER, CHASSION, COX, FISHER, FREEMAN, GREEN, HUGHES, JACKSON, KNOX, LAFLEUR, LARVADAIN, LYONS, MOORE, NEWELL, ORGERON, PHELPS, SELDERS, TAYLOR, WALTERS, AND WILLARD

1 AN ACT

2 To enact Code of Criminal Procedure Article 985.3, relative to expungement of criminal
3 records; to provide for a court-ordered immediate expungement in certain cases; to
4 provide for the applicable expungement form to be used; to provide relative to
5 service and contents of the immediate expungement; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Article 985.3 is hereby enacted to read as
9 follows:

10 Art. 985.3. Immediate expungement; judicial discretion

11 A. The court may order the immediate expungement of the record of the
12 arrest and conviction of the violation that necessitated participation in the probation
13 or program by a person who is otherwise eligible for an expungement upon the
14 successful completion of a court-ordered probation or alternative sentencing
15 program.

16 B. Only the form provided in Article 992 shall be used to expunge the record
17 of a person who is otherwise eligible for an expungement upon the successful
18 completion of a court-ordered probation or alternative sentencing program.

19 C. The immediate expungement shall be served pursuant to the provisions
20 of Article 982 and shall include the court record with the signed order with all of the
21 following:

- 1 (1) The bill of information.
- 2 (2) The sentencing minutes.
- 3 (3) Any documents or records relevant to the arrest incident and plea
- 4 agreements, if available.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____