

Regular Session, 2010
HOUSE BILL NO. 927
BY REPRESENTATIVE GALLOT

ACT No. 609

1 AN ACT

2 To enact R.S. 44:9(A)(5), relative to the expungement of certain criminal records; to
3 authorize the expungement of certain misdemeanor conviction records under certain
4 circumstances; to provide relative to the motion for expungement; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 44:9(A)(5) is hereby enacted to read as follows:

8 §9. Records of violations of municipal ordinances and of state statutes classified as
9 a misdemeanor or felony

10 A.

11 * * *

12 (5)(a) Any person who has been convicted for the violation of a municipal
13 or parish ordinance, a traffic violation, or for violation of a state statute which is
14 classified as a misdemeanor may make a written motion to the district, parish, or city
15 court in which the violation was prosecuted or to the district court located in the
16 parish in which he was arrested, for expungement of the arrest record if five or more
17 years has elapsed between the date of the motion and the successful completion of
18 any sentence, deferred adjudication, or period of probation or parole.
19 Notwithstanding the provisions of Code of Criminal Procedure Article 892.1 or 894,
20 or any other provision of law to the contrary regarding the set aside of a conviction
21 or the dismissal of a prosecution, an expungement shall occur only once with respect
22 to any person during a five-year period, except in the case of a misdemeanor offense
23 of operating a vehicle while intoxicated which may occur only once with respect to
24 any person during a ten-year period.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

