

SENATE BILL NO. 27

BY SENATOR BROOME

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact Code of Criminal Procedure Article 977(C)(2) and to enact Code of Criminal Procedure Article 978(B)(4), relative to the expungement of domestic abuse battery convictions; to prohibit the expungement of convictions of domestic abuse battery; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 977(C)(2) is hereby amended and reenacted and Code of Criminal Procedure Article 978(B)(4) is hereby enacted to read as follows:

Art. 977. Motion to expunge a record of arrest and conviction of a misdemeanor offense

* * *

C. No person shall be entitled to expungement of a record under either of the following circumstances:

* * *

(2) The misdemeanor conviction was for domestic abuse battery ~~which was not dismissed pursuant to Article 894(B) of this Code.~~

* * *

Art. 978. Motion to expunge record of arrest and conviction of a felony offense

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B. No expungement shall be granted nor shall a person be permitted to file a motion to expunge the record of arrest and conviction of a felony offense if the person was convicted of the commission or attempted commission of any of the following offenses:

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* * *

(4) The conviction was for domestic abuse battery.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____