

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2704, Page 38, Section 196.3021, Line
2 24, by deleting the word "and"; and

3
4 Further amend said bill, page, and section, Line 26, by inserting after the number "196.3047" the
5 following:

6
7 "; and

8 (6) Twenty percent of remaining funds shall be disbursed to cover the costs of expungement
9 under section 610.135"; and

10
11 Further amend said bill, Pages 73-74, Section 610.135, Lines 1-37, by deleting said lines and
12 inserting in lieu thereof the following:

13
14 "610.135. 1. Notwithstanding any provisions of law, the court in which a person was
15 convicted of an offense involving marijuana, marijuana products, or marijuana drug paraphernalia,
16 that was originally charged as such and not reduced by plea agreement, committed prior to the
17 enactment of sections 196.3000 to 196.3048, including any person currently in jail, on probation or
18 parole, or has been released from jail, probation, or parole, shall automatically expunge the record
19 for such offense if such offense occurred within the state of Missouri and was prosecuted under the
20 jurisdiction of a Missouri court.

21 2. For offenses under subsection 1 of this section that occurred:

22 (1) Before August 28, 2001, the record shall be expunged before August 28, 2024;

23 (2) After August 27, 2001, but before August 28, 2014, the record shall be expunged before
24 August 28, 2026; and

25 (3) After August 27, 2014, but before August 28, 2022, the record shall be expunged before
26 August 28, 2028.

27 3. Upon the court's granting the order of expungement under this section, the records and
28 files maintained in any court proceeding in an associate or a circuit division of the circuit court or in
29 a municipal court under this section shall be confidential and available only to the parties or by
30 order of the court for good cause shown. The effect of expungement under this section shall be to
31 restore such person to the status he or she occupied prior to such arrest, plea, or conviction and as if
32 such event had never taken place. If expungement under this section has been ordered, no such

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1 person shall be held thereafter under any provision of any law to be guilty of perjury or otherwise
2 giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea,
3 trial, conviction, or expungement in response to any inquiry made of him or her for any purpose, and
4 no such inquiry shall be made for information relating to an expungement under this section.

5 4. The provisions of this section shall not be construed to authorize expungement of any
6 conviction or plea of guilty for any offense committed by a commercial driver's license holder that
7 shall result in a violation of 49 CFR 384.226, as amended, or an offense committed by a person
8 while operating a commercial motor vehicle in violation of 49 CFR 391.15."; and

9
10 Further amend said bill by amending the title, enacting clause, and intersectional references
11 accordingly.