

FIRST REGULAR SESSION

SENATE BILL NO. 520

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BANKS.

Read 1st time March 1, 1999, and 1,000 copies ordered printed.

S2126.011

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 610, RSMo, by adding thereto one new section relating to criminal records.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 610, RSMo, is amended by adding thereto one new section, to be known as section 610.130, to read as follows:

610.130. 1. Any criminal record may be expunged if the court determines that the person seeking to have the criminal record expunged:

- (1) Received a suspended imposition of sentence;**
- (2) Successfully completed their period of court-supervised probation;**
- (3) Was discharged from the supervision of the court;**
- (4) Has no prior or subsequent misdemeanor or felony conviction, excluding traffic violations; and**
- (5) Is not involved in any pending civil action relating to the criminal record requested to be expunged.**

2. (1) Any person who wishes to have a criminal record expunged may petition the court in which the criminal case was filed and the petition shall be made part of the criminal file. The petition shall contain the following information:

- (a) The petitioner's:**
 - a. Full name;**
 - b. Sex;**
 - c. Race;**
 - d. Date of birth;**
 - e. Driver's license number;**
 - f. Social security number;**
- (b) The offense charged against the petitioner; and**

(c) The date petitioner was arrested.

(2) The petition shall name all law enforcement agencies, courts, prosecuting attorney, central state depositories of criminal or others that petitioner has reason to believe may possess any records relating to the criminal record to be expunged.

(3) If the court finds that the petitioner is entitled to expungement of the record it shall enter an order directing expungement of any records or files relating to the offense.

3. Any record ordered to be expunged shall be destroyed. If destruction of the record is not feasible due to the permanent nature of the record, the entries pertaining to the expunged record shall be rendered illegible. Entries of a record ordered expunged shall be removed from all electronic files maintained with the state of Missouri. The central repository shall request the Federal Bureau of Investigation to expunge the record from its files.

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Bill

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