

Hall of the House of Representatives
93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of House Bill No. 1256

TO AMEND THE COMPREHENSIVE CRIMINAL RECORD SEALING ACT OF 2013.

Amendment No. 2 to House Bill 1256

Amend House Bill No. 1256 as engrossed H1/27/21 (version: 01/27/2021 09:32:07 AM):

Page 3, delete lines 23 through 36

AND

Page 4, delete lines 1 through 10, and substitute the following:

"(3)(A) The prosecuting attorney may file a notice of opposition with the court for a uniform petition seeking to seal a record of an eligible felony conviction setting forth reasons for the opposition to the sealing within thirty (30) days after receipt of the uniform petition or after the uniform petition is filed, whichever is the later date.

~~(B) A court may not sign a uniform order sealing an eligible felony conviction without a hearing~~ If the prosecuting attorney files a notice of opposition with the court, the court may set the matter for a hearing.

~~(C) The court may grant the uniform petition only after the hearing described in subdivision (b)(3)(B) of this section has been conducted.~~

~~(c)(1) The court may not grant the uniform petition until thirty (30) days have passed since the uniform petition was served on the prosecuting attorney, although the court may grant or deny the a uniform petition at any time after the thirty-day period described in subdivision (b)(3)(A) of this section has expired.~~

(2) If the court determines that the record shall be sealed under the standards of § 16-90-1415, the uniform order described in § 16-90-1414 shall be entered and filed with the circuit court clerk or district court clerk, as applicable."



The Amendment was read _____
By: Representative Boyd
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Chief Clerk