
Detailed Fiscal Analysis

This bill would modify the definition of “first offender” to potentially increase the number of people who are eligible to have their criminal conviction records sealed. However, the bill then excludes from the Criminal Conviction Records Sealing Law all convictions of an offense of violence, an offense of which the victim was a juvenile, or a felony of the first or second degree. The number of people who would fall under the newly expanded definition and would be eligible to take advantage of these changes is fairly small. The request for sealing of conviction records necessitates a simple hearing, usually conducted in the sentencing court. The prosecuting attorney must be notified of the hearing, but does not have to participate or attend. The cost of the hearing may be partially offset by the fifty dollar fee that the applicant, unless indigent, must pay. Twenty dollars of this fee is directed to the general revenue fund of either a county or a municipality depending upon whether a state statute or a municipal ordinance was involved. The remaining thirty dollars is deposited to the credit of the state’s GRF. This change should have a negligible fiscal effect upon the revenues and expenditures of the municipalities and counties that operate the local courts. Similarly, as the number of expungement matters affected by the bill are fairly small, the changes in annual revenue for the state’s GRF will be negligible.

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