

BILL SUMMARY
2nd Session of the 55th Legislature

Bill No.:	HB2397
Version:	CCR
Request Number:	9987
Author:	Dunlap
Date:	5/16/2016
Impact:	Please see previous summary of this measure

Research Analysis

The Conference Committee Substitute to HB 2397 adds to who may file for an expungement to include a person was convicted of a misdemeanor offense, the person was sentenced to a fine of less than \$501 without a term of imprisonment or a suspended sentence, the fine has been paid or satisfied by time served, the person has not been convicted of a felony and no felony charges are pending.

The measure allows a person to seek an expungement for a misdemeanor offense and the person was sentenced to a term of imprisonment or a suspended sentence or a fine in an amount greater than \$500 and at least 5 years have passed since the end of the last misdemeanor sentence.

The measure allows a person to seek an expungement if the person was convicted of not more than two nonviolent felony offenses, the person has received a full pardon for both offenses and at least 20 years has passed since the last conviction.

The measure modifies the definition of “expungement” to include any public civil record involving actions brought by and against the State of Oklahoma arising from the same arrest, transaction or occurrence.

The measure provides that DNA samples, records and identifiable information that are required to be automatically expunged are inadmissible in any prosecution of that person for a crime committed after the date the DNA samples, records or identifiable information should have been expunged.

The measure modifies the information on the judgement and sentence to include only the last four digits of the person’s Social Security number.

Prepared By: Brad Wolgamott

Fiscal Analysis

Upon review of the measure, it has been determined to have no measureable revenue or fiscal considerations.

Prepared By: Mark Tygret

Other Considerations

None.

