

**EXPUNGEMENT OF DRUG OFFENSES**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Howard A. Stephenson**

House Sponsor: Gregory H. Hughes

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**LONG TITLE**

**General Description:**

This bill creates a committee within the Utah Substance Abuse Advisory Council to study issues related to the expungement of drug-related offenses.

**Highlighted Provisions:**

This bill:

- ▶ creates a committee within the Utah Substance Abuse Advisory Council to study issues related to the expungement of drug-related offenses; and

- ▶ requires that the committee report to the Judiciary, Law Enforcement and Criminal Justice Committee no later than November 30, 2012.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill is repealed November 30, 2012.

**Uncodified Material Affected:**

ENACTS UNCODIFIED MATERIAL

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*Be it enacted by the Legislature of the state of Utah:*

**Section 1. Drug Offenses Expungement Committee -- Creation -- Membership.**

(1) In accordance with Subsection 63M-7-302(5), there is created a Drug-Related Offenses Expungement Committee consisting of representatives from:

(a) the Statewide Association of Prosecutors, designated by the Board of Directors of the Statewide Association of Prosecutors;

- 30 (b) the Bureau of Criminal Identification, Utah Department of Public Safety,
- 31 designated by the director of the bureau;
- 32 (c) the courts, designated by the Judicial Council;
- 33 (d) the Utah Council on Crime Victims, designated by the chair of the council;
- 34 (e) the Utah Support Advocates for Recovery Awareness;
- 35 (f) the Utah Sentencing Commission, designated by the commission director;
- 36 (g) the Utah Board of Pardons and Parole, designated by the chair;
- 37 (h) the Division of Substance Abuse and Mental Health, designated by the director of
- 38 the division; and
- 39 (i) the Utah Substance Abuse Advisory Council, designated by the chair.
- 40 (2) Other individuals, including legislators, may be invited to participate by a majority
- 41 of the committee members.

42 (3) A majority of the members of the task force constitute a quorum.

43 **Section 2. Duties -- Interim report.**

44 (1) The committee shall study and make recommendations regarding whether to allow

45 expungement of drug-related offenses from a person's criminal record, and, if so:

- 46 (a) the steps required to expunge drug-related offenses;
- 47 (b) which offenses may be expunged;
- 48 (c) how many may be expunged; and
- 49 (d) other issues regarding expungement.

50 (2) A final report, including any proposed legislation shall be presented to the

51 Judiciary, Law Enforcement and Criminal Justice Committee before November 30, 2012.

52 **Section 3. Repeal date.**

53 This bill is repealed November 30, 2012.