

Senator Howard A. Stephenson proposes the following substitute bill:

EXPUNGEMENT OF DRUG OFFENSES

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Howard A. Stephenson

House Sponsor: Gregory H. Hughes

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This bill is repealed November 30, 2012.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

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

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



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

28 (a) the Statewide Association of Prosecutors, designated by the Board of Directors of
29 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.