

H.B. 21

EXPUNGEMENT REVISIONS

Senator **Lyle W. Hillyard** proposes the following amendments:

1. *Page 33, Lines 1009 through 1011*

Senate 2nd Reading Amendments

2-19-2010:

- 1009 [(4)] (6) {~~§~~ → "**Criminal court case**" means a conviction entered in a single information
1009a **or indictment as defined in Section 77-1-3.** ←~~§~~ ["**Division**" means the **Criminal Investigations and**
1009b **Technical Services**
1010 **Division off**}
1010a ~~§~~ → (7) ←~~§~~ } "**Department**" means the Department of Public Safety established in Section
1011 [~~53-10-103~~] 53-1-103.

Renumber the remaining subsections accordingly.

2. *Page 36a, Lines 1111c through 1111n*

Senate 2nd Reading Amendments

2-19-2010:

- 1111c ~~which the expungement occurred.~~ ←~~H~~ The bureau may not issue a certificate of eligibility if, at
1111d the time the petitioner seeks a certificate of eligibility, the bureau determines that the
1111e petitioner's criminal history, including previously expunged convictions, contains any of the
1111f following:
1111g (a) two or more felony convictions, each of which is contained in a separate criminal {~~court~~
1111h ~~case~~} episode ;
1111i (b) any combination of three or more convictions that include two class A misdemeanor
1111j convictions, each of which is contained in a separate criminal {~~court case~~} episode ;
1111k (c) any combination of four or more convictions that include three class B misdemeanor
1111l convictions, each of which is contained in a separate criminal {~~court case~~} episode ; or
1111m (d) five or more convictions of any degree whether misdemeanor or felony, excluding
1111n infractions, each of which is contained in a separate criminal {~~court case~~} episode . ←~~§~~