

212 provided in this section.

213 (4) Unless otherwise provided by law or ordered by a court of competent jurisdiction to
 214 respond differently, a person who has received a vacatur of conviction under ~~Ĥ~~→ [Section
 215 78B-9-104(9)(f)] Subsection 78B-9-108(2) ←Ĥ , may respond to any inquiry as though the
 215a conviction did not occur.

216 (5) The bureau shall forward a copy of the order for vacatur to the Federal Bureau of
 217 Investigation.

218 (6) An agency receiving an order for vacatur shall ~~Ĥ~~→ [delete] expunge ←Ĥ the
 218a petitioner's identifying
 219 information contained in records in the agency's possession relating to the incident for which
 220 vacatur is ordered.

221 (7) A government agency or official may not divulge information contained in a record
 222 of arrest, investigation, detention, or conviction after receiving an order for vacatur to any
 223 person or agency, except for:

224 (a) the petitioner for whom vacatur was ordered; or

225 (b) Peace Officer Standards and Training, pursuant to Section 53-6-203 and Subsection
 226 77-40-109(2)(b)(ii).

227 (8) The bureau may not count vacated convictions against any future expungement
 228 eligibility.

229 Section 5. Section **77-40-112** is amended to read:

230 **77-40-112. Penalty.**

231 [Any person who willfully violates any prohibition in this chapter is guilty of a class A
 232 misdemeanor unless the prohibition specifically indicates a different penalty.] Any person who
 233 knowingly or intentionally discloses any identifying information from any record of conviction
 234 that has been pardoned, expunged, or vacated, unless allowed by law, is guilty of a class A
 235 misdemeanor.

236 Section 6. Section **78B-9-104** is amended to read:

237 **78B-9-104. Grounds for relief -- Retroactivity of rule.**

238 (1) Unless precluded by Section 78B-9-106 or 78B-9-107, a person who has been
 239 convicted and sentenced for a criminal offense may file an action in the district court of
 240 original jurisdiction for post-conviction relief to vacate or modify the conviction or sentence
 241 upon the following grounds:

242 (a) the conviction was obtained or the sentence was imposed in violation of the United