

1 SB135
2 196618-1
3 By Senators Whatley and Ward
4 RFD: Judiciary
5 First Read: 19-MAR-19

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8 SYNOPSIS: Under existing law, a person charged with a
9 crime that is committed when he or she is under the
10 age of 21 may be charged as a youthful offender.

11 Also under existing law, a person charged
12 with a misdemeanor criminal offense, traffic
13 violation, or municipal ordinance violation and
14 certain felony offenses may petition the circuit
15 court to have the criminal record expunged if the
16 charge was dismissed or if he or she meets other
17 limited conditions.

18 This bill would provide for the expungement
19 of the criminal record of a youthful offender under
20 certain conditions.

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22 A BILL
23 TO BE ENTITLED
24 AN ACT

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26 To add Section 15-27-2.1 to the Code of Alabama
27 1975; to provide for the expungement of the criminal record of

1 a person charged or adjudicated as a youthful offender under
2 certain conditions.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 15-27-2.1 is added to the Code of
5 Alabama 1975, to read as follows:

6 §15-27-2.1.

7 (a) Except as provided in subsection (b), a person
8 who has been charged or adjudicated as a youthful offender and
9 is no longer eligible to apply for youthful offender status
10 may petition the criminal division of the circuit court in the
11 county in which the charges were filed to expunge the criminal
12 record of the youthful offender.

13 (b) If the youthful offender is adjudicated of a
14 violent offense pursuant to Section 12-25-32, a sex offense
15 pursuant to Section 15-20A-5, or driving under the influence
16 pursuant to Section 32-5A-191, the criminal record of the
17 youthful offender may not be expunged.

18 (c) A youthful offender petitioning for expungement
19 shall satisfy, and be subject to, the procedures or
20 requirements in Sections 15-27-3 to 15-27-20, inclusive,
21 relating to the expungement of criminal records.

22 Section 2. This act shall become effective on the
23 first day of the third month following its passage and
24 approval by the Governor, or its otherwise becoming law.