

Fiscal Estimate Narratives

DA 4/3/2012

LRB Number	11-1673/1	Introduction Number	AB-0709	Estimate Type	Original
Description Expungement of misdemeanors					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person's misdemeanor or non-violent Class H or I felony that is committed before age 25 may be expunged upon completion of the sentence. This bill makes expungement available for all persons convicted of a misdemeanor with a maximum one-year jail sentence, regardless of their age at the time of offense. The bill also permits a court to enter an expungement order at any time during or after the sentence.

Prosecutors believe this bill will cause more work in post-conviction motions for expungement. These will require prosecutors to run a new record check, contact victims to seek their input, and review the file. The next step will be to attend the hearing. Prosecutors do not think this bill will decrease the number of trials because it will involve lower level crimes that rarely proceed to trial.

Because it is uncertain how many requests for expungement will be made, it is difficult to estimate the fiscal effect this bill will have on prosecutors' offices; consequently, a fiscal estimate is indeterminate.

Long-Range Fiscal Implications

As stated above, a long-term fiscal effect is indeterminate.