

HOUSE BILL NO. HB0204

Expungement of criminal records.

Sponsored by: Representative(s) Luthi, Landon and Simpson and Senator(s) Hanes

A BILL

for

1 AN ACT relating to criminal procedure; clarifying when  
2 expungement of certain criminal records can occur; and  
3 providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 7-13-1401(a)(i)(intro) and (A) is  
8 amended to read:

9

10 **7-13-1401. Petition for expungement; records of**  
11 **arrest, dismissal of charges, disposition; eligibility; no**  
12 **filing fee.**

13

14 (a) A person may petition the court in which a  
15 proceeding occurred, or would have occurred, for an order  
16 expunging records of arrest, charges or dispositions which

1 may have been made in the case, subject to the following  
2 limitations:

3

4 (i) At least one hundred eighty (180) days have  
5 passed since the arrest, or from the date the charge or  
6 charges were dismissed for which expungement is sought,  
7 there are no formal charges pending against the person when  
8 the petition is filed, there were no dispositions pursuant  
9 to W.S. 7-13-301 to any charge or charges as the result of  
10 the incident leading to the arrest, including dispositions  
11 to a different or lesser charge, there were no dispositions  
12 pursuant to W.S. 35-7-1037 to any charge or charges as the  
13 result of the incident leading to the arrest, including  
14 dispositions to a different or lesser charge, there were no  
15 dispositions pursuant to former W.S. 7-13-203 to any charge  
16 or charges as the result of the incident leading to the  
17 arrest, including dispositions to a different or lesser  
18 charge, the petitioner sufficiently demonstrates that his  
19 petition satisfies all the requirements of this section,  
20 and at least one (1) of the following applies:

21

22 (A) There were no convictions pursuant to  
23 any charge or charges, including a conviction pursuant to a  
24 different or lesser charge as the result of the incident

1 leading to the arrest; ~~there were no dispositions pursuant~~  
2 ~~to W.S. 7-13-301 to any charge or charges as the result of~~  
3 ~~the incident leading to the arrest, including dispositions~~  
4 ~~to a different or lesser charge, there were no dispositions~~  
5 ~~pursuant to W.S. 35-7-1037 to any charge or charges as the~~  
6 ~~result of the incident leading to the arrest, including~~  
7 ~~dispositions to a different or lesser charge, and there~~  
8 ~~were no dispositions pursuant to former W.S. 7-13-203 to~~  
9 ~~any charge or charges as the result of the incident leading~~  
10 ~~to the arrest, including dispositions to a different or~~  
11 ~~lesser charge;~~

12

13       **Section 2.** This act is effective immediately upon  
14 completion of all acts necessary for a bill to become law  
15 as provided by Article 4, Section 8 of the Wyoming  
16 Constitution.

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18

(END)