

1 _____ BILL NO. _____
2 INTRODUCED BY _____
3 BY REQUEST OF THE CRIMINAL JUSTICE OVERSIGHT COUNCIL

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING EXPUNGEMENT PROCEDURE TO ALLOW MORE
6 THAN ONE PETITION WITH RESTRICTIONS; AND AMENDING SECTION 46-18-1104, MCA."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 46-18-1104, MCA, is amended to read:

11 **"46-18-1104. Eligibility for misdemeanor expungement.** (1) A person convicted of one or more
12 misdemeanor offenses, whether in one court or multiple courts and whether in one case or multiple cases, and
13 who has not had the person's records expunged under this part previously, may petition a district court for an
14 order requiring the expungement of all records of arrest, investigation, and detention, if any, and any court
15 proceedings that may have been held related to the misdemeanor offense or offenses.

(2) A person may ~~petition for~~ be granted expungement pursuant to this part no more than one time during the person's life. Following any denied petition for expungement pursuant to this part, a person may not file another petition until 2 years after the date of denial.

19 (3) A person submitting a petition for expungement under this part must be fingerprinted for
20 purposes of validating the person's identity."

21 - END -