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MEMORANDUM

To: House Committee on Judiciary

From: Office of Revisor of Statutes

Date: February 8, 2021

Subject: Bill Brief on HB 2226

HB 2226 requires certain criminal convictions to be expunged from an offender's record automatically.

Section 1 amends K.S.A. 12-4516, the expungement statute for municipal offenses. It would require the prosecuting attorney in the convicting court to file a petition stating the information required for expungement. Such convictions and related arrest records would be automatically expunged by the convicting court after three years. No fee shall be charged for filing the petition. Upon receiving the petition, the court shall order the conviction and arrest records expunged.

Section 2 amends K.S.A. 21-6614, the expungement statute for district court convictions. The changes would require convictions eligible for expungement after three years to be expunged automatically. The county or district attorney in the convicting court would be required to file a petition stating the information required for expungement. No docket fee shall be charged for filing the petition. Upon receiving the petition, the court shall order the conviction and arrest records expunged.