

1 SB119  
2 173489-1  
3 By Senator Whatley  
4 RFD: Judiciary  
5 First Read: 07-FEB-17

2  
3  
4  
5  
6  
7  
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 19 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.

20  
21 A BILL  
22 TO BE ENTITLED  
23 AN ACT  
24

25 To add Section 15-27-2.1 to the Code of Alabama  
26 1975; to provide for the expungement of the criminal record of  
27 a person charged as a youthful offender.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

4 §15-27-2.1.

5 (a) Except as provided in subsection (b), a person  
6 who has been charged or convicted as a youthful offender may  
7 petition the criminal division of the circuit court in the  
8 county in which the charges were filed to expunge the criminal  
9 record of the youthful offender.

10 (b) If the youthful offender is treated as an adult  
11 sex offender pursuant to Section 15-20A-35, the criminal  
12 record of the youthful offender may not be expunged.

13 (c) A youthful offender petitioning for expungement  
14 shall satisfy, and be subject to, all other procedures or  
15 requirements of this chapter relating to the expungement of  
16 criminal records.

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