



SENATE BILL 570: Expunction/Boat Violation

2015-2016 General Assembly

Committee:	Senate Judiciary II	Date:	April 27, 2015
Introduced by:	Sens. Bryant, McKissick, Daniel	Prepared by:	Janice Paul
Analysis of:	PCS to Second Edition S570-CSTJ-23		Committee Counsel

SUMMARY: *The Proposed Committee Substitute (PCS) for Senate Bill 570 would provide that a person shall not be denied an expunction solely because the person has a conviction for a misdemeanor boating violation. It would also provide that certain convictions for driving while impaired and boating while impaired are not eligible for expunction.*

[As introduced, this bill was identical to H856, as introduced by Reps. Fisher, Hardister, Harrison, B. Turner, which is currently in House Judiciary I.]

BACKGROUND: In limited circumstances, North Carolina law permits the expunction of certain offenses from a person's criminal record. Expunction is the process by which a record of criminal conviction is removed by order of the court, and a person is restored to the status the person occupied before the arrest or indictment. The terms "expunction" and "expungement" are often used interchangeably, and both appear in the statutes. There are several requirements that must be met for expunction, and a person may generally be granted only one expunction in his or her lifetime.

CURRENT LAW: Several provisions of the General Statutes contain provisions authorizing a person to request an expunction if the person has no specified criminal convictions other than a traffic violation.

BILL ANALYSIS: The PCS to Senate Bill 570 would amend the specified statutes to provide that a person must not be denied an expunction under the following statutes solely because the person has a conviction for a misdemeanor boating violation. It would also amend G.S. 15A-145.5(c), "Expunction of certain misdemeanors and felonies; no age limitation," to provide that certain offenses for driving while impaired or boating while impaired are not eligible for expunction.

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