

Bill Summary
2nd Session of the 57th Legislature

Bill No.:	SB 1448
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Author:	Sen. David
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Bill Analysis

SB 1448 modifies eligibility for a person to file for expungement. The measure allows an individual who has not committed a crime within a 5-year period after completing his or her sentence to file. The measure also directs the Governor to expunge the record of any individual granted a pardon by the Governor within 30 days of the pardon; however, the criminal record shall remain on file for law enforcement. Upon issuing the order of expungement, the pardoned offenses shall be deemed never to have occurred, though records of the offense may be retained for sentencing purposes.

The measure directs the Oklahoma Pardon and Parole Board to deliver a certified copy of the expungement to entities outlined in the measure. Receiving entities shall seal the received records within 30 days. Additionally, the Board shall deliver a copy of the expungement record to the Secretary of the State, who shall publish the record for a period of 3 years. After the 3-year period, the Secretary shall seal the record from public view. Employers, educational institutions, state, and local government agencies, officials and employees shall not, in any application or interview, require a person to disclose any information contained in sealed records. Arresting agencies may petition for the record to be unsealed, after which, the court of relevant jurisdiction shall schedule a hearing on the matter. The measure excludes certain offenses from the provisions of this measure.

Prepared by: Kalen Taylor