S T A T E O F N E W Y O R K

4453

2015-2016 Regular Sessions

I N S E N A T E

March 20, 2015

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to expungement of records for certain juveniles convicted of a nonviolent offense after seven years

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The criminal procedure law is amended by adding a new section 440.75 to read as follows:

S 440.75 PETITION FOR EXPUNGEMENT OF RECORDS FOR CERTAIN JUVENILES CONVICTED OF A NONVIOLENT OFFENSE.

1. ANY PERSON WHO HAS BEEN PREVIOUSLY CONVICTED AS A JUVENILE OF A NONVIOLENT OFFENSE, PROVIDED THAT AN ELIGIBLE OFFENSE SHALL NOT INCLUDE ANY SEX OFFENSE AS DEFINED UNDER SUBDIVISION TWO OF SECTION ONE HUNDRED SIXTY-EIGHT-A OF THE CORRECTION LAW, SHALL AFTER THE EXPIRATION OF A PERIOD OF SEVEN YEARS FROM THE DATE OF HIS OR HER PREVIOUS CONVICTION, SATISFACTORY COMPLETION OF HIS OR HER PROBATION, PAROLE, SUPERVISED RELEASE AND PAYMENT OF ANY FINES IMPOSED OR RESTITUTION ORDERED, WHICHEVER IS LATER, HAVE ALL RECORDS AND INFORMATION PERTAINING TO HIS OR HER CONVICTION EXPUNGED.

2. FOR THE PURPOSE OF THIS SECTION THE TERM "JUVENILE" SHALL MEAN A PERSON BETWEEN THE AGES OF SEVEN AND EIGHTEEN YEARS OF AGE.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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