

A bill for an act

relating to crimes; modifying records expungement; amending Minnesota
Statutes 2006, section 609A.01.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 609A.01, is amended to read:

609A.01 CRIMINAL RECORDS EXPUNGEMENT.

Subdivision 1. Statutory expungement. This chapter provides the grounds and
procedures for expungement of criminal records under section 13.82; 152.18, subdivision
1; 299C.11, where a petition is authorized under section 609A.02, subdivision 3; or other
applicable law. The remedy available is limited to a court order sealing the records and
prohibiting the disclosure of their existence or their opening except under court order or
statutory authority. Nothing in this chapter authorizes the destruction of records or their
return to the subject of the records.

Subd. 2. Expungement orders under court's own authority. If the court issues an
expungement order under its own authority, all related records held by any agency shall
also be sealed. Disclosure of the existence of sealed records or their opening is prohibited,
except under court order or statutory authority. The provisions of section 609A.03,
subdivisions 7 and 8, apply to expungement orders issued under the court's own authority.

EFFECTIVE DATE. This section is effective the day following final enactment
and applies to petitions filed on or after that date.