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# State of Minnesota

## HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **3900**

02/27/2020

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The bill was read for the first time and referred to the Public Safety and Criminal Justice Reform Finance and Policy Division

1.1 A bill for an act  
1.2 relating to public safety; requiring the automatic expungement of records relating  
1.3 to certain petty misdemeanor controlled substance violations after a one-year  
1.4 waiting period; amending Minnesota Statutes 2018, section 609A.02, by adding  
1.5 a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609A.

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

1.7 Section 1. Minnesota Statutes 2018, section 609A.02, is amended by adding a subdivision  
1.8 to read:

1.9 Subd. 1a. **Certain petty misdemeanor controlled substance offenses.** Records related  
1.10 to petty misdemeanor violations of section 152.027, subdivision 4, or 152.092, involving  
1.11 marijuana-related drug paraphernalia shall be sealed without the filing of a petition as  
1.12 provided in section 609A.027.

1.13 Sec. 2. **[609A.027] NO PETITION REQUIRED FOR CERTAIN PETTY**  
1.14 **MISDEMEANOR CONTROLLED SUBSTANCE VIOLATIONS AFTER ONE-YEAR**  
1.15 **WAITING PERIOD.**

1.16 (a) At the conclusion of one year following conviction for a petty misdemeanor violation  
1.17 of section 152.027, subdivision 4, or 152.092, involving marijuana-related drug paraphernalia,  
1.18 and the payment of any fines, fees, and surcharges and, if applicable, the successful  
1.19 completion of any required drug education program, or following the dismissal of a petty  
1.20 misdemeanor charge for violating section 152.027, subdivision 4, or 152.092, involving  
1.21 marijuana-related drug paraphernalia the court shall order, without the filing of a petition,  
1.22 the sealing of all records relating to the arrest, charge, trial, dismissal, and conviction.

- 2.1 (b) A record sealed under paragraph (a) may be opened only as provided in section
- 2.2 609A.03, subdivision 7a.