638.18 FILING COPY OF CLEMENCY; COURT ACTION.

Subdivision 1. **Filing with district court.** After clemency has been granted, the commission must file a copy of the pardon, commutation, or reprieve with the district court of the county in which the conviction and sentence were imposed.

Subd. 2. **Court action; pardon.** (a) For a pardon, the court must:

(1) order the conviction set aside;

(2) include a copy of the pardon in the court file;

(3) order all records wherever held relating to the arrest, indictment or information, trial, verdict, and pardon sealed and prohibit the disclosure of the existence of the records or the opening of the records except under court order or pursuant to section 609A.03, subdivision 7a, paragraph (b), clause (1), (7), or (8); and

(4) send a copy of the order and the pardon to the Bureau of Criminal Apprehension and all other government entities that hold affected records.

(b) Consistent with section 609A.03, subdivision 8, the court administrator shall send a copy of the expungement order to each government entity whose records are affected by the order, including but not limited to the Department of Corrections, the Department of Public Safety, and law enforcement agencies.

Subd. 3. **Court action; commutation.** For a commutation, the court must:

(1) amend the sentence to reflect the specific relief granted by the board;

(2) include a copy of the commutation in the court file; and

(3) send a copy of the amended sentencing order and commutation to the commissioner of corrections and the Bureau of Criminal Apprehension.

History: *2023 c 52 art 8 s 14*