



General Assembly

Amendment

January Session, 2019

LCO No. 10303



Offered by:

SEN. FASANO, 34th Dist.

SEN. WITKOS, 8th Dist.

To: Subst. Senate Bill No. 691

File No. 832

Cal. No. 434

(As Amended)

**"AN ACT CONCERNING ERASURE OF CERTAIN MISDEMEANOR
CRIMINAL RECORDS AND EXPEDITED PARDONS REVIEW FOR
CERTAIN FELONY OFFENSES."**

1 Strike subdivision (1) of subsection (e) of section 1 in its entirety and
2 substitute the following in lieu thereof:

3 "(e) (1) Any individual who has ever been convicted of a
4 misdemeanor in any court of this state may, provided at least three
5 years have passed following the completion of any sentence imposed
6 as a result of such individual's most recent conviction for a
7 misdemeanor or felony offense, file a petition with the Superior Court
8 at the location in which the most recent misdemeanor conviction was
9 effected, or with the Superior Court at the location having custody of
10 the records of such conviction or if such conviction was in the Court of
11 Common Pleas, Circuit Court, municipal court or by a trial justice
12 court, in the Superior Court where venue would exist for criminal

13 prosecution, for an order of erasure, and if such petition is in order, the
14 Superior Court shall issue such order of erasure and direct all police
15 and court records and records of the state's or prosecuting attorney
16 pertaining to each such misdemeanor offense, except for a violation of
17 section 53a-189c, any misdemeanor that is a family violence crime, as
18 defined in section 46b-38a, or that is a nonviolent sexual offense or a
19 sexually violent offense, each as defined in section 54-250, or a
20 violation of section 14-227a, 14-227m or 14-227n, to be erased.

21 (A) Notice of the erasure shall immediately be sent to all persons,
22 agencies, officials or institutions known to have information pertaining
23 to the criminal history record information. Reasonable efforts shall be
24 made to send notice of the erasure to the individual whose records
25 have been erased not later than thirty calendar days after such erasure;

26 (B) If an individual has been convicted of an offense in any court in
27 this state and such offense has been decriminalized subsequent to the
28 date of such conviction, such conviction shall not be considered when
29 evaluating such individual's criminal history record information for
30 the purposes of this subsection; and

31 (C) Erasure under this subsection shall not occur in the case of any
32 individual who has pending charges or an open criminal case in any
33 jurisdiction."