

BILL NO. BL2019-1517 (SLEDGE, O'CONNELL, ROSENBERG) – This ordinance would amend the Metropolitan Code of Laws to expand the circumstances in which individuals can request expungement of a Metropolitan ordinance violation.

Currently, Metro Code Sec. 1.24.050 allows a person charged with a violation of a Metropolitan ordinance to have their record expungement only if the charge is dismissed or not prosecuted. The clerk of the court having jurisdiction of such record must remove and expunge the records within sixty (60) days of the entering of the expungement order.

The ordinance under consideration would allow individuals who have pleaded guilty to the violation of a Metro ordinance to have their records expunged if, at the time of filing a petition to expunge, the following are true:

1. The person has never been convicted of any criminal offense (excluding non-moving traffic violations);
2. At least five (5) years have elapsed since the completion of any sentence imposed for the offense; and
3. The person has fulfilled all requirements of any sentence imposed.

Fiscal Note: There would be some administrative costs to the Court Clerk's Office to process expungements as proposed by this ordinance. These costs have not yet been estimated, but should be relatively minor.