

FIRST REGULAR SESSION

SENATE BILL NO. 371

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAY.

1483S.01I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 610, RSMo, by adding thereto one new section relating to expungement.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 610, RSMo, is amended by adding thereto
2 one new section, to be known as section 610.141, to read as
3 follows:

610.141. 1. As used in this section, section 610.140,
2 sections 610.142 to 610.144, and section 610.146, unless the
3 context otherwise indicates, the following terms mean:

4 (1) "Central repository", the Missouri state highway
5 patrol central repository for compiling and disseminating
6 complete and accurate criminal history records;

7 (2) "Charges pending", charges for which an individual
8 has not yet been sentenced;

9 (3) "Close" or "closed", to make records inaccessible
10 to the general public and to all individuals other than the
11 defendant, except as provided under section 610.120 and
12 chapter 43;

13 (4) "Expunge" or "expunged", to close a record in the
14 manner established under section 610.120;

15 (5) "Expungement without petition", technology-
16 assisted, state initiated bulk closing of records in the
17 manner established under section 610.120;

18 (6) "Traffic violation", a violation of the traffic
19 regulations provided under chapters 301, 302, 303, 304, and
20 307.

21 2. (1) Beginning August 28, 2025, all records and
22 files maintained in any administrative or court proceeding
23 in a municipal, associate, or circuit court shall be closed
24 in the manner established under section 610.120 without the
25 filing of a petition under section 610.140, subject to the
26 limitations contained in subdivision (3) of subsection 2 of
27 this section, for all offenses, violations, or infractions
28 not excluded from eligibility for expungement under
29 subsection 2 of section 610.140 if three years have passed
30 since the date the sentence was completed and the individual
31 has not committed any felony or misdemeanor offense other
32 than a traffic violation during that time.

33 (2) This section does not include expungement without
34 petition of any records pertaining to juvenile adjudications
35 or offenses involving the operation of a motor vehicle.

36 (3) (a) An individual may be granted more than one
37 expungement under this section, provided that during his or
38 her lifetime the total number of offenses, violations, or
39 infractions for which expungement can be granted to the
40 individual under this section or section 610.140 shall not
41 exceed the following limits:

42 a. No more than three felony offenses; and
43 b. No more than five misdemeanor offenses or ordinance
44 violations that have an authorized term of imprisonment.

45 (b) An individual may be granted expungement under
46 this section for any number of infractions.

47 (c) If an individual's record contains more felonies
48 or misdemeanors than can be expunged during the individual's
49 lifetime under paragraph (a) of subdivision (3) of this

50 subsection, the individual shall not be eligible for
51 expungement without petition under this section.

52 (d) For purposes of determining lifetime limits on
53 expungement under this section and section 610.140:

54 a. If the offenses or violations were charged as
55 counts in the same case, all such offenses and violations
56 shall count as only the highest level offense or violation
57 in that case for purposes of determining lifetime limits on
58 expungement under this section and section 610.140; and

59 b. If the offenses or violations were committed by an
60 individual who has reached sixty-five years of age and has
61 not been convicted of any misdemeanors or felonies other
62 than traffic violations in the immediate ten preceding
63 years, all such offenses and violations not excluded from
64 eligibility for expungement by subsection 2 of section
65 610.140 shall be expunged.

66 3. Nothing in this section precludes an individual
67 from filing a petition for expungement of records under
68 section 610.140 if an individual is eligible for an
69 expungement without petition under this section but if such
70 an expungement without petition has not yet occurred or
71 cannot occur.

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