

1 AN ACT relating to expungement.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 431 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Eligible conviction" means any criminal conviction meeting the*
7 *requirements of KRS 431.073(1); and*

8 *(b) "Expungeable conviction" means any eligible conviction if:*

9 *1. Five (5) years have passed since the completion of any term of*
10 *incarceration and any non-monetary conditions of release; and*

11 *2. The person has not in the previous five (5) years been convicted of a*
12 *felony or misdemeanor.*

13 *(2) On August 1, 2024, and on the first day of each month thereafter, the Department*
14 *of Kentucky State Police and the Administrative Office of the Courts shall*
15 *identify eligible convictions that have not been expunged.*

16 *(3) On August 15, 2024, and on the fifteenth day of each month thereafter, the*
17 *Administrative Office of the Courts shall produce a list of eligible convictions that*
18 *are expungeable convictions, and shall communicate each expungeable*
19 *conviction to the court in which the conviction occurred.*

20 *(4) Within thirty (30) days of receipt of a notice of an expungeable conviction, the*
21 *court shall order the judgment vacated, dismiss with prejudice any charges that*
22 *are eligible for expungement under this section, and order expunged all records*
23 *in the custody of the court and any records in the custody of any other agency or*
24 *official, including law enforcement records. The order expunging the records*
25 *shall not require any action by the person. Upon entry of an order expunging a*
26 *conviction pursuant to this section, the court shall notify the person of the*
27 *expungement.*

1 (5) Nothing in this section precludes an individual from filing a petition for
2 expungement pursuant to KRS 431.073 for any charges that have not been
3 expunged.