

Part III: Differences to Local Government Mandate Statement from Prior Versions

SB 57 HCS retains the original provisions of SB 57 GA but reduces the expungement fee from \$450 to \$150 and changes the burden of proof on an applicant for expungement at hearing from clear and convincing to a preponderance of the evidence. **The fiscal impact of SB 57 HCS on law enforcement will be the same as for SB 57 GA.**

SB 57 GA passed with Committee Substitute 1 and Floor Amendments 1 and 2. **Floor Amendments 1 and 2 effect no changes to the fiscal impact statement for SB 57 SCS provided above.**

SB 57 SCS retained the original provisions of SB 57 and excluded expungement of violations of KRS 189A.010 or 508.032 and also excluded expungement of offenses in breach of public office. SB 57 SCS allows Commonwealth's attorneys to reject grossly incomplete applications (and require additional information) and establishes the findings that an applicant must prove by clear and convincing evidence before an expungement is granted, and requires that an applicant pose no significant threat of recidivism. **SB 57 SCS will result in increased expungements similar to SB 57 and thus, the fiscal impact on law enforcement will be essentially the same as SB 57.**

Data Source(s): Kentucky Jailers Association; Kentucky Association of Chiefs of Police;
Kentucky Sheriffs Association; Kentucky Department of Corrections

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