

prior to the filing of the petition, an individual may petition the court for expungement provided a period of at least ten years has lapsed since the date of offense.

The fiscal impact of SB 33 on local government is indeterminate due to the impossibility of predicting a percentage of those who may have records expunged; however, it is expected to be minimal. Local jails transfer custody of records upon release of inmates and will be unaffected. Local law enforcement agencies may realize a minimal impact as manual expungements take less than 30 minutes, and computerized records take not more than five minutes to delete.

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

Part II, above, pertains to the GA version of the bill. The introduced bill was amended by SFA 1 and SFA 2. **The fiscal impact remains the same as the mandate for the bill as introduced.**

SFA 1 amends the bill to increase the period of time an individual must wait to petition the court for expungement from five years to ten years if the offense is subject to enhancement to a felony.

SFA 2 amends the bill to require an applicant's criminal record to be void of convictions for any misdemeanor or felony in the ten years prior to filing the petition if the offense is subject to enhancement to a felony.

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

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