

By: Posey

To: Wildlife and
Fisheries

SENATE BILL NO. 3174

1 AN ACT TO AMEND SECTION 99-19-71 TO PROVIDE THAT WILDLIFE
2 VIOLATIONS MAY NOT BE EXPUNGED; AND FOR RELATED PURPOSES.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

4 SECTION 1. Section 99-19-71, Mississippi Code of 1972, is
5 amended as follows:[LTR1]

6 99-19-71. Any person who has been convicted of a misdemeanor
7 before reaching his twenty-third birthday, excluding a conviction
8 for a traffic violation or a wildlife violation, and who is a
9 first offender, may petition the justice, county, circuit or
10 municipal court, as may be applicable, for an order to expunge any
11 such conviction from all public records. Upon entering such order,
12 a nonpublic record thereof shall be retained by the court solely
13 for the purpose of use by the court in determining whether or not
14 in subsequent proceedings such person is a first offender. The
15 effect of such order shall be to restore such person, in the
16 contemplation of the law, to the status he occupied before such
17 arrest. No person as to whom such order has been entered shall be
18 held thereafter under any provision of law to be guilty of perjury
19 or to have otherwise given a false statement by reason of his
20 failure to recite or acknowledge such arrest or conviction in
21 response to any inquiry made of him for any purpose, except for
22 the purpose of determining in any subsequent proceedings under
23 this section, whether such person is a first offender. A justice,
24 county, circuit or municipal court may expunge the record of any
25 case in which an arrest was made, the person arrested was released
26 and the case was dismissed or the charges were dropped or there

27 was no disposition of such case.

28 SECTION 2. This act shall take effect and be in force from
29 and after its passage.