

By: Senator(s) Williamson

To: Judiciary

SENATE BILL NO. 2561

1 AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE A PROCEDURE TO EXPUNGE CERTAIN CONVICTIONS; AND FOR
3 RELATED PURPOSES.

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

5 **SECTION 1.** Section 99-19-71, Mississippi Code of 1972, is
6 amended as follows:

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



27 dismissed or the charges were dropped or there was no disposition
28 of such case.

29 **SECTION 2.** This act shall take effect and be in force from
30 and after July 1, 2002.

