

By: Senator(s) Walls

To: Judiciary

SENATE BILL NO. 2150

1 AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE EXPUNCTION OF A CRIMINAL RECORD; AND FOR RELATED  
3 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 any  
8 misdemeanor or felony other than a violation under Chapter 3 or 5  
9 of Title 97, excluding a conviction for a traffic violation, which  
10 offenses was committed before the person reached his twenty-fifth  
11 birthday, and who is a first offender, may petition the justice,  
12 county, circuit or municipal court, as may be applicable, for an  
13 order to expunge any such conviction from all public records.  
14 Upon entering such order, a nonpublic record thereof shall be  
15 retained by the court solely for the purpose of use by the court  
16 in determining whether or not in subsequent proceedings such  
17 person is a first offender. The effect of such order shall be to  
18 restore such person, in the contemplation of the law, to the  
19 status he occupied before such arrest. No person as to whom such  
20 order has been entered shall be held thereafter under any  
21 provision of law to be guilty of perjury or to have otherwise  
22 given a false statement by reason of his failure to recite or  
23 acknowledge such arrest or conviction in response to any inquiry  
24 made of him for any purpose, except for the purpose of determining  
25 in any subsequent proceedings under this section, whether such  
26 person is a first offender. A justice, county, circuit or  
27 municipal court may expunge the record of any case in which an



28 arrest was made, the person arrested was released and the case was  
29 dismissed or the charges were dropped or there was no disposition  
30 of such case.

31         **SECTION 2.** This act shall take effect and be in force from  
32 and after July 1, 2003.

