

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**Senate Bill NO. 2306**

**By Representative(s) Compretta**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

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

25 may expunge the record of any case in which an arrest was made,  
26 the person arrested was released and the case was dismissed or the  
27 charges were dropped or there was no disposition of such case.

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1         AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT ALL PERSONS CONVICTED OF CERTAIN MISDEMEANORS  
3 SHALL BE ELIGIBLE FOR EXPUNCTION; AND FOR RELATED PURPOSES.