

By: Senator(s) Albritton

To: Judiciary, Division B

SENATE BILL NO. 2324

1 AN ACT TO CREATE A SEPARATE AND NONPUBLIC CRIMINAL HISTORY
2 DATABASE FOR THE PURPOSE OF DETERMINING THE ELIGIBILITY OF AN
3 OFFENDER AS A FIRST OFFENDER; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** A certified copy of every expunction and
6 nonadjudication order shall be sent by the circuit clerk to the
7 Mississippi Criminal Information Center where it shall be
8 maintained in a separate confidential database accessible only
9 upon written request by a district attorney, the Attorney General
10 of Mississippi and the Mississippi Law Enforcement Standards and
11 Training Board. Any criminal conviction which has been expunged
12 or nonadjudicated may be used for the purpose of determining
13 habitual offender status and for the use of the Mississippi Law
14 Enforcement Standards and Training Board in giving or retaining
15 law enforcement certification, and to ensure that a person is only
16 eligible for first-offender status one (1) time.

17 **SECTION 2.** This act shall take effect and be in force from
18 and after July 1, 2006.