

By: Senator(s) Albritton

To: Judiciary, Division B

SENATE BILL NO. 2324
(As Sent to Governor)

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, a county prosecuting
10 attorney, a municipal court prosecuting attorney, the Attorney
11 General of Mississippi and the Mississippi Law Enforcement
12 Standards and Training Board. Any criminal conviction which has
13 been expunged or nonadjudicated may be used for the purpose of
14 determining habitual offender status and for the use of the
15 Mississippi Law Enforcement Standards and Training Board in giving
16 or retaining law enforcement certification, and to ensure that a
17 person is only eligible for first-offender status one (1) time.

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