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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH SESSION

HOUSE FILE No. 1237

February 22, 2007

Authored by Lesch

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2006, section 609A.01, is amended to read:

609A.01 CRIMINAL RECORDS EXPUNGEMENT.

1.7 **Subdivision 1. Statutory expungement.** This chapter provides the grounds and
1.8 procedures for expungement of criminal records under section 13.82; 152.18, subdivision
1.9 1; 299C.11, where a petition is authorized under section 609A.02, subdivision 3; or other
1.10 applicable law. The remedy available is limited to a court order sealing the records and
1.11 prohibiting the disclosure of their existence or their opening except under court order or
1.12 statutory authority. Nothing in this chapter authorizes the destruction of records or their
1.13 return to the subject of the records.

1.14 Subd. 2. **Expungement orders under court's own authority.** If the court issues an
1.15 expungement order under its own authority, all related records held by any agency shall
1.16 also be sealed. Disclosure of the existence of sealed records or their opening is prohibited,
1.17 except under court order or statutory authority. The provisions of section 609A.03,
1.18 subdivisions 7 and 8, apply to expungement orders issued under the court's own authority.

1.19 **EFFECTIVE DATE.** This section is effective the day following final enactment
1.20 and applies to petitions filed on or after that date.