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FISCAL IMPACT STATEMENT

LS 6744

BILL NUMBER: HB 1587

NOTE PREPARED: Mar 3, 2003

BILL AMENDED: Feb 24, 2003

SUBJECT: Expunging Records of Certain Felony Convictions.

FIRST AUTHOR: Rep. Summers

FIRST SPONSOR: Sen. Clark

BILL STATUS: As Passed - House

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill allows a sentencing court to expunge the records of certain felony convictions committed before a person was 25 years of age after the elapse of 20 years after the completion of the person's sentence and any other obligations imposed on the person as a part of the sentence.

Effective Date: July 1, 2003.

Explanation of State Expenditures: (Revised) The Indiana State Police maintain the criminal history data base. Any additional staff and computer time would likely be able to be absorbed with the existing resources.

Explanation of State Revenues: This bill could possibly increase fees to the state General Fund. An example would be if a petition to expunge a felony record is filed under the original court case number in which the person was sentenced and the person did not pay the required fees at the time. In this case, the court might require the person to pay any unpaid fees as part of the hearing. The state General Fund receives 70% of all criminal fees.

Explanation of Local Expenditures: (Revised) Any additional cost would depend on the number of persons who might file for an expungement. These petitions would increase court time with additional hearings. Local law enforcement agencies would have to revise criminal records if a sentencing court orders that these records be expunged.

Explanation of Local Revenues: See *Explanation of State Revenues*, above. The general fund at the local level receives 30% of all criminal fees.

State Agencies Affected: Indiana State Police, Clerk of the Supreme Court.

Local Agencies Affected: Trial Courts.

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