

April 13, 2005

H 1213. EXPUNGE MULTIPLE CHARGES/OCCUR WITHIN 1 YR. TO PROVIDE THAT A PERSON CHARGED WITH MULTIPLE OFFENSES MAY HAVE THOSE CHARGES EXPUNGED IF THE ALLEGED OFFENSES OCCURRED WITHIN THE SAME TWELVE-MONTH PERIOD OF TIME AND THE CHARGES ARE SUBSEQUENTLY DISMISSED OR FINDINGS OF NOT GUILTY OR NOT RESPONSIBLE ARE ENTERED AT THE SAME TERM OF COURT. Enacts new GS 15A-146(a1) as title indicates. Provides that offenses need not arise out of the same transaction or occurrence or be consolidated for judgment. Requires court to order expunction if it finds that person has not previously received an expunction under section or under GS 15A-145 (expunction for first offenders under 18 years old) or GS 90-96 (expunction of first convictions of certain drug offenses committed by persons 21 years old and under) and person has not previously been convicted of any felony. Provides that person receiving an expunction may not subsequently be found guilty of perjury or of otherwise giving a false statement for failure to disclose expunged entries.

Intro. by Moore, Sutton.

Ref. to Judiciary II

GS 15A

August 12, 2005

H 1213. EXPUNGE MULTIPLE CHARGES/OCCUR WITHIN 1 YR. Intro. 4/13/05. Senate committee substitute makes the following changes to 1st edition. Defines "term of court" as one week for superior court and one day for district court unless otherwise clearly indicated by the circumstances. Makes act effective October 1, 2005. Make additional technical and conforming changes.

August 13, 2005

H 1213. EXPUNGE MULTIPLE CHARGES/OCCUR WITHIN ONE YR. Intro. 4/13/05. House amendment adopted 8/12/05 makes the following changes to 2nd edition. Amends new GS 15A-146(a1) to clarify that subsection applies if all charges are dismissed.

October 5, 2005

SL 2005-452 (H 1213). EXPUNGE MULTIPLE CHARGES/OCCUR WITHIN ONE YEAR. *AN ACT TO PROVIDE THAT A PERSON CHARGED WITH MULTIPLE OFFENSES UNDER CERTAIN CIRCUMSTANCES MAY HAVE THOSE CHARGES EXPUNGED IF THE CHARGES ARE SUBSEQUENTLY DISMISSED OR FINDINGS OF NOT GUILTY OR NOT RESPONSIBLE ARE ENTERED AT THE SAME TERM OF COURT.* Summarized in *Daily Bulletin* 4/13/05, 8/12/05, and 8/13/05. Enacted September 29, 2005. Effective October 1, 2005.