

Senate Study Bill 1326

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON KREIMAN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to expunging a record of conviction for theft in
2 the fifth degree offenses.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2836SC 82
5 jm/je/5

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1 1 Section 1. NEW SECTION. 714.2A THEFT IN THE FIFTH DEGREE
1 2 == EXPUNGEMENT.
1 3 Upon the expiration of two years following conviction for
1 4 theft in the fifth degree in violation of section 714.2, a
1 5 person may petition the court to exonerate the person of the
1 6 conviction, if any fine and restitution have been paid, and if
1 7 the person has had no other criminal convictions, other than
1 8 simple misdemeanor violations of chapter 321 during the
1 9 two-year period. The court shall enter an order exonerating
1 10 the person of the conviction, and order that the record of the
1 11 conviction be expunged by the clerk of the district court and
1 12 the person shall be deemed exonerated of the offense as a
1 13 matter of law, if any fine and restitution have been paid, and
1 14 if the person has had no other criminal convictions, other
1 15 than simple misdemeanor violations of chapter 321.

1 16 EXPLANATION

1 17 This bill relates to expunging a record of conviction for a
1 18 theft in the fifth degree offense.

1 19 The bill provides that upon the expiration of two years
1 20 from the date of conviction for theft in the fifth degree, a
1 21 person may petition the court to exonerate the person of the
1 22 conviction, if any fine and restitution have been paid, and if
1 23 the person has had no other criminal convictions other than
1 24 simple misdemeanor violations of Code chapter 321 during the
1 25 two-year period. The court shall enter an order exonerating
1 26 the person of the conviction, and order the record expunged by
1 27 the clerk of the district court, if any fine and restitution
1 28 have been paid, and if the person has had no other criminal
1 29 convictions, other than simple misdemeanor violations of Code
1 30 chapter 321.

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