

**House File 2024 - Introduced**

HOUSE FILE 2024

BY WOLFE

**A BILL FOR**

1 An Act relating to the expungement of the criminal record for a  
2 simple misdemeanor interference of official acts.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 719.1, Code 2016, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 4. Upon the expiration of two years  
4 following conviction for a violation of subsection 1, paragraph  
5 "b", or of a similar local ordinance, a person may petition the  
6 court to expunge the conviction, and if the person has had no  
7 other criminal convictions, other than local traffic violations  
8 or simple misdemeanor violations of chapter 321 during the  
9 two-year period, the conviction shall be expunged as a matter  
10 of law. The court shall enter an order that the record of the  
11 conviction be expunged by the clerk of the district court.  
12 Notwithstanding section 692.2, after receipt of notice from the  
13 clerk of the district court that a record of conviction has  
14 been expunged for a violation of subsection 1, paragraph "b",  
15 the record of conviction shall be removed from the criminal  
16 history data files maintained by the department of public  
17 safety.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with  
20 the explanation's substance by the members of the general assembly.

21 This bill relates to the expungement of the criminal record  
22 for a simple misdemeanor interference with official acts.

23 The bill provides that upon the expiration of two years  
24 following a conviction for a violation of simple misdemeanor  
25 interference with official acts, or of a similar local  
26 ordinance, a person may petition the court to expunge the  
27 conviction, and if the person has had no other criminal  
28 convictions, other than local traffic violations or simple  
29 misdemeanor violations of Code chapter 321 during the two-year  
30 period, the conviction shall be expunged as a matter of law.  
31 The bill further provides that the court shall enter an order  
32 that the record of the conviction be expunged by the clerk of  
33 the district court.

34 Upon receipt of from the clerk of the district court that  
35 a record of conviction has been expunged for a violation of

1 simple misdemeanor interference with official acts, the bill  
2 requires that the record of conviction shall be removed from  
3 the criminal history data files maintained by the department  
4 of public safety.

5 A simple misdemeanor interference with official acts is  
6 punishable by confinement for no more than 30 days or a fine of  
7 at least \$250 but not more than \$625 or by both.