

House File 78 - Introduced

HOUSE FILE 78

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A BILL FOR

1 An Act relating to the expungement of not-guilty verdicts and
2 dismissed criminal-charge records.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 901C.1 Not-guilty verdicts and
2 criminal-charge dismissals — expungement.

3 One year after a person has been found not guilty of a charge
4 or one year after a charge is dismissed against the person,
5 except as provided in section 907.9, the charge shall be
6 expunged by the clerk of the district court. For purposes of
7 this section, "expunged" means the same as provided in section
8 907.1.

9 Sec. 2. Section 907.9, subsection 4, paragraph c,
10 unnumbered paragraph 1, Code 2015, is amended to read as
11 follows:

12 A Except as provided in section 901C.1, a dismissed count or
13 related charge shall be expunged pursuant to the provisions of
14 paragraph "b" in the following manner:

15 EXPLANATION

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

18 This bill relates to the expungement of not-guilty verdicts
19 and dismissed criminal-charge records.

20 The bill specifies that one year after a person has been
21 found not guilty of a charge or one year after a charge is
22 dismissed against the person, the charge shall be expunged by
23 the clerk of the district court, unless the charge is subject
24 to the expungement provisions of Code section 907.9.

25 Code section 907.1 defines "expunged" to mean that the
26 court's criminal record with reference to a deferred judgment
27 or any other criminal record has been segregated in a secure
28 area or database which is exempted from public access.