

901C.3 Misdemeanor — expungement.

1. Upon application of a defendant convicted of a misdemeanor offense in the county where the conviction occurred, the court shall enter an order expunging the record of such a criminal case, as a matter of law, if the defendant has proven all of the following:

- a. More than eight years have passed since the date of the conviction.
- b. The defendant has no pending criminal charges.
- c. The defendant has not previously been granted two deferred judgments.
- d. The defendant has paid all court costs, fees, fines, restitution, and any other financial obligations ordered by the court or assessed by the clerk of the district court.

2. The following misdemeanors shall not be expunged:

- a. A conviction under [section 123.46](#).
- b. A simple misdemeanor conviction under [section 123.47, subsection 3](#), or similar local ordinance.
- c. A conviction under [section 321.218, 321A.32, or 321J.21](#).
- d. A conviction under [section 321J.2](#).
- e. A conviction for a sex offense as defined in [section 692A.101](#).
- f. A conviction for involuntary manslaughter under [section 707.5](#).
- g. A conviction for assault under [section 708.2, subsection 3](#).
- h. A conviction under [section 708.2A](#).
- i. A conviction for harassment under [section 708.7](#).
- j. A conviction for stalking under [section 708.11](#).
- k. A conviction for removal of an officer's communication or control device under [section 708.12](#).

- l. A conviction for trespass under [section 716.8, subsection 3 or 4](#).
- m. A conviction under [chapter 717C](#).
- n. A conviction under [chapter 719](#).
- o. A conviction under [chapter 720](#).
- p. A conviction under [section 721.2](#).
- q. A conviction under [section 721.10](#).
- r. A conviction under [section 723.1](#).
- s. A conviction under [chapter 724](#).
- t. A conviction under [chapter 726](#).
- u. A conviction under [chapter 728](#).
- v. A conviction under [chapter 901A](#).
- w. A conviction for a comparable offense listed in [49 C.F.R. §383.51\(b\)](#) (table 1) or [49 C.F.R. §383.51\(e\)](#) (table 4).

- x. A conviction under prior law of an offense comparable to an offense enumerated in [this subsection](#).

3. A person shall be granted an expungement of a record under [this section](#) one time in the person's lifetime. However, the one application may request the expungement of records relating to more than one misdemeanor offense if the misdemeanor offenses arose from the same transaction or occurrence, and the application contains the misdemeanor offenses to be expunged.

4. The expunged record under [this section](#) is a confidential record exempt from public access under [section 22.7](#) but shall be made available by the clerk of the district court upon court order.

5. Notwithstanding [section 692.2](#), after receipt of notice from the clerk of the district court that a record of conviction has been expunged under [subsection 1](#), the record of conviction shall be removed from the criminal history data files maintained by the department of public safety if such a record was maintained in the criminal history data files.

6. The supreme court may prescribe rules governing the procedures applicable to the expungement of a criminal case under [this section](#).

7. [This section](#) applies to a misdemeanor conviction that occurred prior to, on, or after July 1, 2019.

[2019 Acts, ch 140, §2](#); [2022 Acts, ch 1132, §16](#)

Subsection 2, paragraph c stricken and former paragraphs d – y redesignated as c – x