

1 H.468

2 Introduced by Representative Davis of Washington

3 Referred to Committee on

4 Date:

5 Subject: Criminal procedures; expungement and sealing of criminal history
6 records

7 Statement of purpose of bill as introduced: This bill proposes to include first
8 offense DUI as a qualifying offense for which a person may petition for
9 expungement.

10 An act relating to making records of first offense DUI convictions eligible
11 for expungement

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 13 V.S.A. § 7601(3) is amended to read:

14 (3) “Predicate offense” means a criminal offense that can be used to
15 enhance a sentence levied for a later conviction, and includes ~~operating a~~
16 ~~vehicle under the influence of intoxicating liquor or other substance in~~
17 ~~violation of 23 V.S.A. § 1201, domestic assault in violation of section 1042 of~~
18 ~~this title, and stalking in violation of section 1062 of this title, and second or~~
19 subsequent offense of operating a vehicle under the influence of intoxicating
20 liquor or other substance in violation of 23 V.S.A. § 1201. “Predicate offense”

1 shall not include misdemeanor possession of marijuana or first offense
2 violations of operating a vehicle under the influence of intoxicating liquor or
3 other substance in violation of 23 V.S.A. § 1201.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on July 1, 2015.