

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred House Bill No. 460  
3 entitled “An act relating to sealing and expungement of criminal history  
4 records” respectfully reports that it has considered the same and recommends  
5 that the Senate propose to the House that the bill be amended by striking out all  
6 after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 13 V.S.A. § 7601 is amended to read:

8 § 7601. DEFINITIONS

9 As used in this chapter:

10 (1) “Court” means the Criminal Division of the Superior Court.

11 (2) “Criminal history record” means all information documenting an  
12 individual’s contact with the criminal justice system, including data regarding  
13 identification, arrest or citation, arraignment, judicial disposition, custody, and  
14 supervision.

15 (3) “Predicate offense” means a criminal offense that can be used to  
16 enhance a sentence levied for a later conviction, and includes operating a  
17 vehicle under the influence of alcohol or other substance in violation of  
18 23 V.S.A. § 1201, domestic assault in violation of section 1042 of this title,  
19 and stalking in violation of section 1062 of this title. “Predicate offense” shall  
20 not include misdemeanor possession of marijuana, ~~or~~ a disorderly conduct  
21 offense under section 1026 of this title, or possession of a controlled substance

1 in violation of 18 V.S.A. § 4230(a), 4231(a), 4232(a), 4233(a), 4234(a),  
2 4234a(a), 4234b(a), 4235(b), or 4235a(a).

3 (4) “Qualifying crime” means:

4 (A) a misdemeanor offense that is not:

5 (i) a listed crime as defined in subdivision 5301(7) of this title;

6 (ii) an offense involving sexual exploitation of children in  
7 violation of chapter 64 of this title;

8 (iii) an offense involving violation of a protection order in  
9 violation of section 1030 of this title;

10 (iv) prostitution as defined in section 2632 of this title, or  
11 prohibited conduct under section 2601a of this title; or

12 (v) a predicate offense;

13 (B) a violation of subsection 3701(a) of this title related to criminal  
14 mischief;

15 (C) a violation of section 2501 of this title related to grand larceny;

16 (D) a violation of section 1201 of this title related to burglary,  
17 excluding any burglary into an occupied dwelling, as defined in subdivision  
18 1201(b)(2) of this title; ~~or~~

19 (E) a violation of 18 V.S.A. § 4223 related to fraud or deceit;

20 ~~(F) a violation of subdivision 1404(c)(4) of this title related to~~  
21 ~~conspiracy to receive stolen property;~~

1 ~~(G) a violation of section 1802 of this title related to uttering a forged~~  
2 ~~or counterfeited instrument;~~

3 ~~(H) a violation of section 2001 of this title related to false~~  
4 ~~personation;~~

5 ~~(I) a violation of section 2002 of this title related to false pretenses or~~  
6 ~~tokens;~~

7 ~~(J) a violation of section 2561 of this title related to receiving stolen~~  
8 ~~property;~~

9 ~~(K) a violation of section 2575 of this title related to retail theft;~~

10 (L) a violation of 18 V.S.A. § 4230(a) related to possession of  
11 marijuana;

12 (M) a violation of 18 V.S.A. § 4231(a) related to possession of  
13 cocaine;

14 (N) a violation of 18 V.S.A. § 4232(a) related to possession of LSD;

15 (O) a violation of 18 V.S.A. § 4233(a) related to possession of  
16 heroin;

17 (P) a violation of 18 V.S.A. § 4234(a) related to possession of  
18 depressant, stimulant, and narcotic drugs;

19 (Q) a violation of 18 V.S.A. § 4234a(a) related to possession of  
20 methamphetamine;

1           (R) a violation of 18 V.S.A. § 4234b(a) related to possession of  
2           ephedrine and pseudoephedrine;

3           (S) a violation of 18 V.S.A. § 4235(b) related to possession of  
4           hallucinogenic drugs;

5           (T) a violation of 18 V.S.A. § 4235a(a) related to possession of  
6           ecstasy; or

7           (U) any offense for which a person has been granted an unconditional  
8           pardon from the Governor.

9           Sec. 2. 13 V.S.A. § 7602 is amended to read:

10          § 7602. EXPUNGEMENT AND SEALING OF RECORD,

11                               POSTCONVICTION; PROCEDURE

12           (a)(1) A person may file a petition with the court requesting expungement  
13           or sealing of the criminal history record related to the conviction if:

14                               (A) the person was convicted of a qualifying crime or qualifying  
15           crimes arising out of the same incident or occurrence; ~~or~~

16                               (B) the person was convicted of an offense for which the underlying  
17           conduct is no longer prohibited by law or designated as a criminal offense;

18                               (C) pursuant to the conditions set forth in subsection (g) of this  
19           section, the person was convicted of a violation of 23 V.S.A. § 1201(a) related  
20           to operating under the influence of alcohol or other substance, excluding a  
21           violation of that section resulting in serious bodily injury or death to any

1 person other than the operator, or related to operating a school bus with a blood  
2 alcohol concentration of 0.02 or more; or

3 (D) pursuant to the conditions set forth in subsection (h) of this  
4 section, the person was convicted of a violation of subdivision 1201(a) of this  
5 title related to burglary when the person was 25 years of age or younger, and  
6 the person did not carry a dangerous or deadly weapon during commission of  
7 the offense.

8 (2) The State's Attorney or Attorney General shall be the respondent in  
9 the matter.

10 (3) The court shall grant the petition without hearing if the petitioner  
11 and the respondent stipulate to the granting of the petition. The respondent  
12 shall file the stipulation with the court, and the court shall issue the petitioner a  
13 ~~certificate~~ an order of expungement and provide notice of the order in  
14 accordance with this section.

15 \* \* \*

16 (g) For petitions filed pursuant to subdivision (a)(1)(C) of this section, only  
17 petitions to seal may be considered or granted by the court. Unless the court  
18 finds that sealing would not be in the interests of justice, the court shall grant  
19 the petition and order that the criminal history record be sealed in accordance  
20 with section 7607 of this title if the following conditions are met:

1           (1) At least 10 years have elapsed since the date on which the person  
2           successfully completed the terms and conditions of the sentence for the  
3           conviction, or if the person has successfully completed the terms and  
4           conditions of an indeterminate term of probation that commenced at least 10  
5           years previously.

6           (2) At the time of the filing of the petition:

7           (A) the person has only one conviction of a violation of 23 V.S.A. §  
8           1201, which shall be construed in accordance with 23 V.S.A. § 1211; and

9           (B) the person has not been convicted of a crime arising out of a new  
10           incident or occurrence since the person was convicted of a violation of 23  
11           V.S.A. § 1201(a).

12           (3) Any restitution ordered by the court has been paid in full.

13           (4) The court finds that sealing of the criminal history record serves the  
14           interests of justice.

15           (h) For petitions filed pursuant to subdivision (a)(1)(D) of this section,  
16           unless the court finds that expungement or sealing would not be in the interests  
17           of justice, the court shall grant the petition and order that the criminal history  
18           record be expunged or sealed in accordance with section 7606 or 7607 of this  
19           title if the following conditions are met:

20           (1) At least 15 years have elapsed since the date on which the person  
21           successfully completed the terms and conditions of the sentence for the

1 conviction, or the person has successfully completed the terms and conditions  
2 of an indeterminate term of probation that commenced at least 15 years  
3 previously.

4 (2) The person has not been convicted of a crime arising out of a new  
5 incident or occurrence since the person was convicted of a violation of  
6 subdivision 1201(c)(3)(A) of this title.

7 (3) Any restitution ordered by the court has been paid in full.

8 (4) The court finds that expungement or sealing of the criminal history  
9 record serves the interests of justice.

10 Sec. 3. 13 V.S.A. § 7603 is amended to read:

11 § 7603. EXPUNGEMENT AND SEALING OF RECORD, NO  
12 CONVICTION; PROCEDURE

13 (a) Unless either party objects in the interests of justice, the court shall  
14 issue an order sealing the criminal history record related to the citation or arrest  
15 of a person:

16 (1) ~~12 months after the dismissal~~ within 60 days after the final  
17 disposition of the case if:

18 (A) the court does not make a determination of probable cause at the  
19 time of arraignment ~~or dismisses the charge at the time of arraignment;~~ or

20 (B) the charge is dismissed before trial without prejudice; or

1           (2) at any time if the prosecuting attorney and the defendant stipulate  
2 that the court may grant the petition to seal the record.

3           (b) If a party objects to sealing or expunging a record pursuant to this  
4 section, the court shall schedule a hearing to determine if sealing or expunging  
5 the record serves the interests of justice. The defendant and the prosecuting  
6 attorney shall be the only parties in the matter.

7           (c), (d) [Repealed.]

8           (e) Unless either party objects in the interests of justice, the court shall  
9 issue an order expunging a criminal history record related to the citation or  
10 arrest of a person:

11           (1) ~~not more than 45 days after~~ within 60 days after the final disposition  
12 of the case if:

13           (A) ~~acquittal~~ if the defendant is acquitted of the charges; or

14           (B) ~~dismissal~~ if the charge is dismissed with prejudice ~~before trial~~;

15           (2) at any time if the prosecuting attorney and the defendant stipulate  
16 that the court may grant the petition to expunge the record.

17           (f) Unless either party objects in the interests of justice, the court shall issue  
18 an order to expunge a record sealed pursuant to subsection (a) or (g) of this  
19 section ~~after the statute of limitations has expired~~ eight years after the date on  
20 which the record was sealed.



1 (g) A person may file a petition with the court requesting sealing or  
2 expungement of a criminal history record related to the citation or arrest of the  
3 person at any time. The court shall grant the petition and issue an order sealing  
4 or expunging the record if it finds that sealing or expunging the record serves  
5 the interests of justice, or if the parties stipulate to sealing or expungement of  
6 the record.

7 (h) The court may expunge any records that were sealed pursuant to this  
8 section prior to July 1, 2018 unless the State's Attorney's office that  
9 prosecuted the case objects. Thirty days prior to expunging a record pursuant  
10 to this subsection, the court shall provide to the State's Attorney's office that  
11 prosecuted the case written notice of its intent to expunge the record.

12 Sec. 4. 13 V.S.A. § 7606 is amended to read:

13 § 7606. EFFECT OF EXPUNGEMENT

14 ~~(a) Upon entry of an expungement order, the order shall be legally effective~~  
15 ~~immediately and the person whose record is expunged shall be treated in all~~  
16 ~~respects as if he or she had never been arrested, convicted, or sentenced for the~~  
17 ~~offense. The court shall issue an order to expunge all records and files related~~  
18 ~~to the arrest, citation, investigation, charge, adjudication of guilt, criminal~~  
19 ~~proceedings, and probation related to the sentence. The court shall issue the~~  
20 ~~person a certificate stating that such person's behavior after the conviction has~~  
21 ~~warranted the issuance of the order and that its effect is to annul the record of~~

1 ~~arrest, conviction, and sentence.~~ Order and notice. Upon finding that the  
2 requirements for expungement have been met, the court shall issue an order  
3 that shall include provisions that its effect is to annul the record of the arrest,  
4 conviction, and sentence and that such person shall be treated in all respects as  
5 if he or she had never been arrested, convicted, or sentenced for the offense.

6 The court shall provide notice of the expungement to the respondent, Vermont  
7 Crime Information Center (VCIC), the arresting agency, and any other entity  
8 that may have a record related to the order to expunge. The VCIC shall  
9 provide notice of the expungement to the Federal Bureau of Investigation's  
10 National Crime Information Center.

11 (b) Effect.

12 (1) Upon entry of an expungement order, the order shall be legally  
13 effective immediately and the person whose record is expunged shall be treated  
14 in all respects as if he or she had never been arrested, convicted, or sentenced  
15 for the offense.

16 (2) In any application for employment, license, or civil right or privilege  
17 or in an appearance as a witness in any proceeding or hearing, a person may be  
18 required to answer questions about a previous criminal history record only with  
19 respect to arrests or convictions that have not been expunged.

20 (3) The response to an inquiry from any person regarding an expunged  
21 record shall be that "NO CRIMINAL RECORD EXISTS."

1           (4) Nothing in this section shall affect any right of the person whose  
2           record has been expunged to rely on it as a bar to any subsequent proceedings  
3           for the same offense.

4           (c) ~~Nothing in this section shall affect any right of the person whose record~~  
5           ~~has been expunged to rely on it as a bar to any subsequent proceedings for the~~  
6           ~~same offense~~ Process.

7           (1) The court shall remove the expunged offense from any accessible  
8           database that it maintains.

9           (2) Until all charges on a docket are expunged, the case file shall remain  
10          publicly accessible.

11          (3) When all charges on a docket have been expunged, the case file shall  
12          be destroyed pursuant to policies established by the Court Administrator.

13          (d) Special index.

14               (1) The court shall keep a special index of cases that have been  
15               expunged together with the expungement order ~~and the certificate issued~~  
16               ~~pursuant to this chapter.~~ The index shall list only the name of the person  
17               convicted of the offense, his or her date of birth, the docket number, and the  
18               criminal offense that was the subject of the expungement.

19               (2) The special index and related documents specified in subdivision (1)  
20               of this subsection shall be confidential and shall be physically and

1 electronically segregated in a manner that ensures confidentiality and that  
2 limits access to authorized persons.

3 (3) Inspection of the expungement order ~~and the certificate~~ may be  
4 permitted only upon petition by the person who is the subject of the case. The  
5 ~~Administrative Judge~~ Chief Superior Judge may permit special access to the  
6 index and the documents for research purposes pursuant to the rules for public  
7 access to court records.

8 (4) ~~All other court documents in a case that are subject to an~~  
9 ~~expungement order shall be destroyed~~ [Repealed].

10 (5) The Court Administrator shall establish policies for implementing  
11 this subsection.

12 (e) ~~Upon receiving an inquiry from any person regarding an expunged~~  
13 ~~record, an entity shall respond that “NO RECORD EXISTS.”~~

14 Sec. 5. 13 V.S.A. § 7607 is amended to read:

15 § 7607. EFFECT OF SEALING

16 (a) Order and notice. Upon entry of an order to seal, the order shall be  
17 legally effective immediately and the person whose record is sealed shall be  
18 treated in all respects as if he or she had never been arrested, convicted, or  
19 sentenced for the offense. The court shall issue the person a certificate stating  
20 that such person’s behavior after the conviction has warranted the issuance of  
21 the order and that its effect is to annul the record of arrest, conviction, and

1 **sentence.** The court shall provide notice of the sealing to the respondent,  
2 Vermont Crime Information Center (VCIC), the arresting agency, and any  
3 other entity that may have a record related to the order to seal. The VCIC shall  
4 provide notice of the sealing to the Federal Bureau of Investigation’s National  
5 Crime Information Center.

6 (b) Effect.

7 (1) Except as provided in subdivision (c) of this section, upon entry of a  
8 sealing order, the order shall be legally effective immediately and the person  
9 whose record is sealed shall be treated in all respects as if he or she had never  
10 been arrested, convicted, or sentenced for the offense.

11 (2) In any application for employment, license, or civil right or privilege  
12 or in an appearance as a witness in any proceeding or hearing, a person may be  
13 required to answer questions about a previous criminal history record only with  
14 respect to arrests or convictions that have not been sealed.

15 (3) The response to an inquiry from any person regarding a sealed  
16 record shall be that “NO CRIMINAL RECORD EXISTS.”

17 (c) Exceptions. Notwithstanding **any other provision of law or** a sealing  
18 order:

19 (1) An entity that possesses a sealed record may continue to use it for  
20 any litigation or claim arising out of the same incident or occurrence or  
21 involving the same defendant.

1           (2) An entity may use the criminal history record sealed in accordance  
2 with section 7602 or 7603 of this title, ~~regarding a person who was cited or~~  
3 ~~arrested, for future criminal investigations or prosecutions without limitation in~~  
4 subsequent investigations, prosecutions, and court proceedings pertaining to  
5 the person who is the subject of the record. A sealed record of a prior violation  
6 of 23 V.S.A. § 1201(a) shall be admissible as a predicate offense for the  
7 purpose of imposing an enhanced penalty for a subsequent violation of that  
8 section, in accordance with the provisions of 23 V.S.A. § 1210.

9           (d) ~~Upon receiving a sealing order, an entity shall:~~ Process.

10           (1) ~~seal the investigation or prosecution record;~~ The court shall bar  
11 viewing of the sealed offense in any accessible database that it maintains.

12           (2) ~~enter a copy of the sealing order into the record;~~ Until all charges on  
13 a docket have been sealed, the case file shall remain publicly accessible.

14           (3) ~~flag the record as “SEALED” to prevent inadvertent disclosure of~~  
15 ~~sealed information; and~~ When all charges on a docket have been sealed, the  
16 case file shall become exempt from public access.

17           (4) ~~upon receiving an inquiry from any person regarding a sealed record,~~  
18 ~~respond that “NO RECORD EXISTS.”~~

19           (e) Special index.

20           (1) The court shall keep a special index of cases that have been sealed  
21 together with the sealing order. The index shall list only the name of the

1 person convicted of the offense, his or her date of birth, the docket number,  
2 and the criminal offense that was the subject of the sealing.

3 (2) The special index and related documents specified in subdivision (1)  
4 of this subsection shall be confidential and shall be physically and  
5 electronically segregated in a manner that ensures confidentiality and that  
6 limits access to authorized persons.

7 (3) Except as provided in subsection (c) of this section, inspection of the  
8 sealing order may be permitted only upon petition by the person who is the  
9 subject of the case. The Chief Superior Judge may permit special access to the  
10 index and the documents for research purposes pursuant to the rules for public  
11 access to court records.

12 (4) The Court Administrator shall establish policies for implementing  
13 this subsection.

14 [IS THIS STILL BEING PROPOSED?] Sec. X. 13 V.S.A. § 7609 is amended  
15 to read:

16 § 7609. EXPUNGEMENT OF CRIMINAL HISTORY RECORDS OF AN  
17 INDIVIDUAL 18–21 YEARS OF AGE

18 (a) Procedure. The court's approval of a plea for an individual who was  
19 18–21 years of age at the time of the offense shall indicate whether each  
20 charge is considered a “qualifying offense” as defined under subsection  
21 7601(4) of this title. Each month the Department of Corrections shall submit

1 to the court a list of individuals 18–21 years of age who complete a sentence  
2 for a qualifying offense within the last 20 days. Except as provided in  
3 subsection (b) of this section, the record of the criminal proceedings for an  
4 individual who was 18–21 years of age at the time the individual committed a  
5 qualifying crime shall be expunged within 30 days after the date on which the  
6 individual successfully completed the terms and conditions of the sentence for  
7 the conviction of the qualifying crime, absent a finding of good cause by the  
8 court receives the report from the Department. The Upon receipt of the list,  
9 the court shall issue an order to expunge all records and files related to the  
10 arrest, citation, investigation, charge, adjudication of guilt, criminal  
11 proceedings, and probation related to the sentence. A copy of the order shall  
12 be sent to each agency, department, or official named in the order. Thereafter,  
13 the court, law enforcement officers, agencies, and departments shall reply to  
14 any request for information that no record exists with respect to such  
15 individual. Notwithstanding this subsection, the record shall not be expunged  
16 until restitution has been paid in full.

17 \* \* \*

18 Sec. 6. 23 V.S.A. § 1205 is amended to read:

19 § 1205. CIVIL SUSPENSION; SUMMARY PROCEDURE

20 \* \* \*

21 (e) Effective date of suspension.



1           (1) First offense. Unless a hearing is requested, a suspension under this  
2 section of the license of a person who the officer has reasonable grounds to  
3 believe violated section 1201 of this title a first time becomes effective on the  
4 11th day after the person receives notice or is deemed to have received notice  
5 under subsection (c) of this section. If a hearing is requested, a suspension  
6 shall not become effective unless the court orders a suspension after hearing as  
7 provided in this section.

8           (2) Second or subsequent offense. A suspension of a person’s license  
9 under this section shall become effective on the 11th day after the person  
10 receives notice or is deemed to have received notice under subsection (c) of  
11 this section if:

12               (A) the officer has reasonable grounds to believe the person has  
13 violated section 1201 of this title; and

14               (B) ~~after July 1, 1991~~ within the last 20 years, the person has:

15                     (i) had his or her operator’s license suspended pursuant to this  
16 section; or

17                     (ii) been convicted of a violation of section 1201 of this title.

18                                     \* \* \*

1 Sec. 7. 23 V.S.A. § 1210 is amended to read:

2 § 1210. PENALTIES

3 (a) Screening. Before sentencing a defendant under this section, the ~~Court~~  
4 court may order that the defendant submit to an alcohol assessment screening.  
5 Such a screening report may be considered at sentencing in the same manner as  
6 a presentence report. At sentencing, the defendant may present relevant  
7 evidence, including the results of any independent alcohol assessment ~~which~~  
8 that was conducted at the person's own expense. Evidence regarding any such  
9 screening or an alcohol assessment performed at the expense of the defendant  
10 shall not be admissible for any other purpose without the defendant's consent.

11 (b) First offense. A person who violates section 1201 of this title may be  
12 fined not more than \$750.00, or imprisoned for not more than two years, or  
13 both.

14 (c) Second offense. A person convicted of violating section 1201 of this  
15 title who has been convicted of another violation of that section within the last  
16 20 years shall be fined not more than \$1,500.00 or imprisoned not more than  
17 two years, or both. At least 200 hours of community service shall be  
18 performed, or 60 consecutive hours of the sentence of imprisonment shall be  
19 served and may not be suspended or deferred or served as a supervised  
20 sentence, except that credit for a sentence of imprisonment may be received for

1 time served in a residential alcohol facility pursuant to sentence if the program  
2 is successfully completed.

3 (d) Third offense. A person convicted of violating section 1201 of this title  
4 who has previously been convicted two times of a violation of that section,  
5 including at least one violation within the last 20 years, shall be fined not more  
6 than \$2,500.00 or imprisoned not more than five years, or both. At least 96  
7 consecutive hours of the sentence of imprisonment shall be served and may not  
8 be suspended or deferred or served as a supervised sentence, except that credit  
9 for a sentence of imprisonment may be received for time served in a residential  
10 alcohol facility pursuant to sentence if the program is successfully completed.

11 The ~~Court~~ court may impose a sentence that does not include a term of  
12 imprisonment or that does not require that the 96 hours of imprisonment be  
13 served consecutively only if the ~~Court~~ court makes written findings on the  
14 record that such a sentence will serve the interests of justice and public safety.

15 (e)(1) Fourth or subsequent offense. A person convicted of violating  
16 section 1201 of this title who has previously been convicted three or more  
17 times of a violation of that section, including at least one violation within the  
18 last 20 years, shall be fined not more than \$5,000.00 or imprisoned not more  
19 than 10 years, or both. At least 192 consecutive hours of the sentence of  
20 imprisonment shall be served and may not be suspended or deferred or served  
21 as a supervised sentence, except that credit for a sentence of imprisonment may

1 be received for time served in a residential alcohol treatment facility pursuant  
2 to sentence if the program is successfully completed. The ~~Court~~ court shall not  
3 impose a sentence that does not include a term of imprisonment unless the  
4 ~~Court~~ court makes written findings on the record that there are compelling  
5 reasons why such a sentence will serve the interests of justice and public  
6 safety.

7 (2) The Department of Corrections shall provide alcohol and substance  
8 abuse treatment, when appropriate, to any person convicted of a violation of  
9 this subsection.

10 \* \* \*

11 Sec. 8. 32 V.S.A. § 1431 is amended to read:

12 § 1431. FEES IN SUPREME AND SUPERIOR COURTS

13 \* \* \*

14 (e) Prior to the filing of any postjudgment motion in the Civil, Criminal, or  
15 Environmental Division of the Superior Court, including motions to reopen  
16 civil suspensions ~~and motions for sealing or expungement in the Criminal~~  
17 ~~Division pursuant to 13 V.S.A. § 7602~~, or motions to reopen existing cases in  
18 the Probate Division of the Superior Court, there shall be paid to the clerk of  
19 the court for the benefit of the State a fee of \$90.00 except for small claims  
20 actions and estates. A filing fee of \$90.00 shall be paid to the clerk of the court  
21 for a civil petition for minor settlements. There shall be no filing fee for

1 motions to seal or expunge a criminal history record pursuant to 13 V.S.A.  
2 § 7602.

3 \* \* \*

4 Sec. 9. **VERMONT SENTENCING COMMISSION; REPORT ON**  
5 **EXPUNGEMENT AND SEALING**

6 (a) During the 2019 legislative interim, the Vermont Sentencing  
7 Commission, established under 13 V.S.A. § 5451, shall conduct a  
8 comprehensive assessment of the statutes governing the expungement and  
9 sealing of criminal history records in Vermont, including reviewing the crimes  
10 eligible for expungement or sealing, the process by which criminal history  
11 records are expunged or sealed, the mechanism by which expunged or sealed  
12 records are indexed, and the effect of sealing or expungement. As a part of its  
13 assessment, the Commission shall evaluate all Vermont civil offenses and the  
14 crime of negligent operation of a motor vehicle under 23 V.S.A. § 1091(a) for  
15 their suitability for expungement or sealing eligibility.

16 (b) On or before November 1, 2019, the Commission shall report to the  
17 Joint Legislative Justice Oversight Committee and the House and Senate  
18 Committees on Judiciary with recommendations regarding:

- 19 (1) improvements to the expungement and sealing process; and  
20 (2) any additional crimes or civil offenses appropriate for expungement  
21 or sealing eligibility.

1       Sec. 10. EFFECTIVE DATES

2           This act shall take effect on July 1, 2019, except that Sec. 2 (expungement  
3           and sealing of record; postconviction; procedure) shall take effect on October  
4           1, 2019.

5

6

7

8

9           (Committee vote: \_\_\_\_\_)

10

\_\_\_\_\_

11

Senator \_\_\_\_\_

12

FOR THE COMMITTEE