Expungement and sealing tiers available based on crime S.294; 2/14/20

Predicate misdemeanors and regulated drug possession offenses

- Expungement eligible after 5 years from completion of sentence or after completion of the sentence for a subsequent offense, whichever is later
- If the state stipulates to the petition, the court may grant it earlier than eligibility date

Predicate misdemeanors

- Sealing eligible 5 years after completion of sentence or after completion of the sentence for a subsequent offense, whichever is later
- Sealed record expungement eligible 5 years after sealing if no subsequent offense; if subsequent offense, 5 years after completion of sentence for subsequent offense
- No expungement eligibility
- No provision for early sealing with stipulation

1st DUI

- Sealing eligible 10 years from date of completion of sentence
- No expungement eligibility
- No provision for early sealing with stipulation

Burglary without a weapon when 25 or younger

- Expungement or sealing eligible 15 years after completion of sentence, no subsequent offense
- No provision for early expungement or sealing

Felony property offense and regulated drug offenses (excluding trafficking)

- Sealing eligible 10 years from completion of sentence or completion of sentence for subsequent offense, whichever is later
- Expungement eligible 10 years after sealing order if no subsequent offense. If subsequent offense, 10 years after completion of sentence for subsequent offense.
- Court may grant petition earlier if state stipulates

Remaining non-listed felonies

- Sealing eligible 15 years after completing sentence with no subsequent offense. If subsequent offense, 10 years from completion of sentence for subsequent offense, whichever is later.
- Not expungement eligible
- No provision for early sealing with stipulation