

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 566
3 entitled “An act relating to sealing post-charge court diversion records upon
4 successful completion” respectfully reports that it has considered the same and
5 recommends that the bill be amended as follows:

6 First: In Sec. 1., 3 V.S.A. § 163, by striking subdivision (f)8) in its entirety
7 and inserting in lieu thereof the following:

8 (8) Effect of expungement sealing. ~~Except as otherwise provided in this~~
9 ~~section, upon the entry of an order expunging files and records under this~~
10 ~~section, the proceedings in the matter shall be considered never to have~~
11 ~~occurred; all index references thereto shall be deleted; and the participant, the~~
12 ~~court, law enforcement officers and departments, prosecutors, the referring~~
13 ~~entity, and the diversion program shall reply to any request for information that~~
14 ~~no record exists with respect to such participant inquiry in any matter. Copies~~
15 ~~of the order shall be sent to each agency, entity, or official named therein~~
16 Procedures for sealing, the effect of sealing, and access to sealed records shall
17 be as provided in 13 V.S.A. § 7607.

18 Second: In Sec. 2, 3 V.S.A. § 164, in subdivision (a)(2) by striking the
19 words “or municipal ordinance” wherever they appear

20 Third: In Sec. 2, 3 V.S.A. § 164, by striking subdivision (f)(6) in its
21 entirety and inserting in lieu thereof the following:

7 Fourth: In Sec. 2, 3 V.S.A. § 164, by striking subdivision (f)(8) in its
8 entirety and inserting in lieu thereof the following:

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4 (Committee vote: _____)

5 _____

6 Representative _____

7 FOR THE COMMITTEE