
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 57 (H.171). Judiciary; expungement

An act relating to expungement

This act:

- Amends the Uniform Collateral Consequences of Conviction Act to require notice of the availability of expungement at the time an offender enters a guilty plea
- Requires notice of the availability of expungement upon release from the custody of the Department of Corrections and notice when the penalty is a fine only
- Adds a violation of 18 V.S.A. § 4223 related to fraud or deceit to the list of felonies eligible for expungement beginning on January 1, 2018
- Reduces the waiting periods that are required before seeking an expungement
- Provides that there is a presumption that expungement is in the interest of justice unless the court finds otherwise for a petition filed to expunge a conviction for which the underlying conduct is no longer prohibited by law or designated as a criminal offense
- Reduces the waiting period required for refiling after a denial of a petition from five to two years, unless a shorter duration is authorized by the court
- Clarifies that when an expungement petition is granted, the effect is to expunge all records related to the offense, including arrest, citation, investigation, charge, adjudication, criminal proceedings, and probation records
- Directs the Secretary of State and Attorney General to evaluate compliance with the expungement chapter and report to the committees on Judiciary to confirm such compliance

Multiple effective dates, beginning on July 1, 2017.