

HB 2048 STAFF MEASURE SUMMARY

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

Prepared By: Amie Fender-Sosa, Counsel

Meeting Dates: 5/4, 5/18

WHAT THE MEASURE DOES:

Requires court to send to Department of Corrections (DOC) a certified copy of order setting aside conviction instead of limiting the delivery of set aside orders to when the subject person has been in the custody of the DOC.

House Judiciary Committee Vote: (Aye, Nay, Excused, Absent) 10-0-0-0

Third reading. Carried by Wallan. Passed. Ayes, 55; Nays, 1--Wright; Excused, 3--Clem, Leif, Nearman; Excused for Business of the House, 1--Prusak.

FISCAL: Has minimal fiscal impact

REVENUE: No revenue impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Presently, when a person applies for and receives an order setting aside a conviction, arrest, citation or charge, the court is required to send a certified copy of the order to the Department of Corrections (DOC) only if the person has been in the custody of DOC, but the DOC is responsible for processing set asides for some individuals who were not in DOC custody.

House Bill 2048 requires the court to provide DOC with a copy of all orders setting aside convictions.