

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: SB443E

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Boysko

3. Committee: Judiciary

4. Title: Sealing of offenses resulting in a deferred and dismissed disposition or conviction by petition.

5. Summary: Provides that a defendant with a disorder or disability, defined in the bill as either autism spectrum disorder or an intellectual disability, as defined elsewhere in the Code, may file a petition that requests the sealing of the criminal history record information and court records of a Class 4 felony conviction or charge that has been deferred and dismissed. The bill provides that such persons may file a petition if they have not been convicted of a Class 3 or 4 felony within the past 10 years; persons without a disorder or disability must not have been convicted of a Class 3 or 4 felony within the past 20 years to be eligible to file a record sealing petition. To be eligible for record sealing, the court must have found by clear and convincing evidence that the criminal conduct was caused by or had a direct and substantial relationship to the disorder or disability.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

8. Fiscal Implications: The proposed legislation is not anticipated to have a fiscal impact on the Department of State Police. There is no anticipated fiscal impact on the Courts.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, Courts.

10. Technical Amendment Necessary: No.

11. Other Comments: None.