

2022 SESSION

INTRODUCED

22102109D

HOUSE BILL NO. 504

Offered January 12, 2022

Prefiled January 11, 2022

A BILL to amend the Code of Virginia by adding a section numbered 19.2-392.3:1, relating to expunged criminal records; use in civil action.

Patron—Mullin

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 19.2-392.3:1 as follows:

§ 19.2-392.3:1. Expunged records; use in civil action.

Where a civil action is filed arising out of or relating to criminal charges wherein a petition to expunge criminal records is pending or such criminal records have been expunged, any party to the civil claim may file a motion in the court in which the civil action is pending, or in the court where the records were expunged or the petition to expunge is pending, for the release of such expunged records for use in the civil action.

Upon such motion, the records shall be released. If such records are released pursuant to the provisions of this section, the penalties set forth in this chapter relating to disclosure of expunged records shall not apply.

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