

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1637, Page 1, Section 570.212, Line 11, by inserting after said section and line the
2 following:

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4 "610.130. 1. After a period of not less than ten years, an individual who has pleaded guilty or has
5 been convicted for a first intoxication-related traffic offense or intoxication-related boating offense [~~which~~
6 that is a misdemeanor or a county or city ordinance violation, or for an intoxication-related traffic offense that
7 is a class D felony under subdivision (4) of subsection 2 of section 577.010 or an intoxication-related boating
8 offense that is a class D felony under subdivision (4) of subsection 2 of section 577.013, and [~~which~~] that is
9 not a conviction for driving a commercial motor vehicle while under the influence of alcohol and who since
10 such date has not been convicted of any intoxication-related traffic offense or intoxication-related boating
11 offense may apply to the court in which he or she pled guilty or was sentenced for an order to expunge from
12 all official records all recordations of his or her arrest, plea, trial or conviction.

13 2. If the court determines, after hearing, that such person has not been convicted of any subsequent
14 intoxication-related traffic offense or intoxication-related boating offense, has no other subsequent alcohol-
15 related enforcement contacts as defined in section 302.525, and has no other intoxication-related traffic
16 offense or intoxication-related boating offenses or alcohol-related enforcement actions pending at the time of
17 the hearing on the application, the court shall enter an order of expungement.

18 3. Upon granting of the order of expungement, the records and files maintained in any administrative
19 or court proceeding in an associate or circuit division of the circuit court under this section shall be
20 confidential and only available to the parties or by order of the court for good cause shown. The effect of
21 such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or
22 conviction and as if such event had never taken place. No person as to whom such order has been entered
23 shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false
24 statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction or
25 expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry
26 shall be made for information relating to an expungement under this section. A person shall only be entitled
27 to one expungement pursuant to this section. Nothing contained in this section shall prevent the director from
28 maintaining such records as to ensure that an individual receives only one expungement pursuant to this
29 section for the purpose of informing the proper authorities of the contents of any record maintained pursuant
30 to this section.

31 4. The provisions of this section shall not apply to any individual who has been issued a commercial
32 driver's license or is required to possess a commercial driver's license issued by this state or any other state.";
33 and

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35 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____