



Rep. Constance A. Howard

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09500HB1831ham007

LRB095 09795 RLC 50710 a

1 AMENDMENT TO HOUSE BILL 1831

2 AMENDMENT NO. _____. Amend House Bill 1831, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 3, on page 29, line 18, by replacing "subsection (b)" with
5 "subsections (b) and (e),"; and

6 by replacing lines 13 through 26 on page 35 and lines 1 through
7 15 on page 36 with the following:

8 "(e) Whenever a person who has been convicted of an offense
9 is granted a pardon by the Governor which specifically
10 authorizes expungement, he or she may, upon verified petition
11 to the chief judge of the circuit where the person had been
12 convicted, any judge of the circuit designated by the Chief
13 Judge, or in counties of less than 3,000,000 inhabitants, the
14 presiding trial judge at the defendant's trial, may have a
15 court order entered expunging the record of arrest from the
16 official records of the arresting authority and order that the
17 records of the clerk of the circuit court and the Department be

1 sealed until further order of the court upon good cause shown
2 or as otherwise provided herein, and the name of the defendant
3 obliterated from the official index requested to be kept by the
4 circuit court clerk under Section 16 of the Clerks of Courts
5 Act in connection with the arrest and conviction for the
6 offense for which he or she had been pardoned but the order
7 shall not affect any index issued by the circuit court clerk
8 before the entry of the order. All records sealed by the
9 Department may be disseminated by the Department only as
10 required by law or to the arresting authority, the State's
11 Attorney, and the court upon a later arrest for the same or
12 similar offense or for the purpose of sentencing for any
13 subsequent felony. Upon conviction for any subsequent offense,
14 the Department of Corrections shall have access to all sealed
15 records of the Department pertaining to that individual. Upon
16 entry of the order of expungement, the clerk of the circuit
17 court shall promptly mail a copy of the order to the person who
18 was pardoned."