

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1352

Bill Subtitle: TO AMEND THE LAW CONCERNING THE SEALING OF A RECORD OF A FELONY CONVICTION OF DRIVING OR BOATING WHILE INTOXICATED.

Basic Change :

Sponsors: Rep. Dalby and Sen. Hickey

HB1352 prevents a person from filing a Petition to Seal their criminal conviction related to certain convictions for Boating or Driving While Intoxicated (BWI or DWI) for 10 years. A person who is convicted of BWI or DWI for a 4th or 5th offense in a 10-year lookback period is guilty of an unclassified felony. Current law allows a person to petition a court to seal a conviction related to an unclassified felony five years after completion of the person's sentence. Under HB1352, a person convicted of BWI or DWI for the 4th or 5th time in a 10-year period would be prohibited from filing a petition to seal that conviction until the 10-year lookback period has expired.

Revenue Impact :

None.

Taxpayer Impact :

A defendant with a conviction for a BWI or DWI, 4th or 5th offense, would not be eligible to file a Petition to Seal the conviction until the applicable lookback period for the offense has elapsed.

Resources Required :

None.

Time Required :

Adequate time has been provided for implementation.

Procedural Changes :

The Office of Driver Services would update training materials for employees, law enforcement, and courts.

Other Comments :

None.

Legal Analysis :

None.