

# SENATE BILL REPORT

## SB 5860

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As Reported By Senate Committee On:  
Law & Justice, February 25, 1997

**Title:** An act relating to vacation of misdemeanor criminal history records.

**Brief Description:** Permitting misdemeanor criminal history records to be vacated.

**Sponsors:** Senators Roach and Johnson.

**Brief History:**

**Committee Activity:** Law & Justice: 2/25/97 [DP].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Hargrove, Haugen, Long, McCaslin, Stevens and Zarelli.

**Staff:** Martin Lovinger (786-7443)

**Background:** Current law provides a procedure for a person who has been convicted of a felony to vacate the record of conviction under some circumstances. A person whose conviction record has been vacated is considered for most purposes to never have been convicted of that felony. There is no equivalent procedure for a person convicted of a misdemeanor.

**Summary of Bill:** A procedure is provided for a person who has been convicted of a misdemeanor to have the record of conviction vacated.

The record may not be vacated if: (1) fewer than five years have elapsed since conviction, or in some cases, since completion of the sentence; (2) there are any criminal charges pending against the person in any state or federal court; or (3) the person has been convicted of another crime in any state or federal court since the date of the conviction at issue.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** No one.

