

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 571

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H571-ATT-22 [v.1]

Page 1 of 2

Amends Title [NO]
Second Edition

Date April 27, 2017

Representative McNeill

1 moves to amend the bill on page 1, lines 35-36, and page 2, lines 1-7, by rewriting the lines to
2 read:

3
4 "(c) The order of expunction shall include all of the following: *arrest ARW*
5 (1) An instruction that any entries relating to the person's ~~apprehension~~, charge,
6 or trial shall be expunged from the records of the court, and all law enforcement agencies; the
7 Department of Public Safety, Combined Records Section; the State Bureau of Investigation; the
8 Division of Motor Vehicles; and any other State or local government agencies identified by the
9 petitioner as bearing record of the same, to expunge their records of the entries.

10 (2) An instruction that, prior to expunging records, the court and all law
11 enforcement agencies; the Department of Public Safety; Combined Records Section; the State
12 Bureau of Investigation; the Division of Motor Vehicles; and any other State or local
13 government agencies identified by the petitioner as bearing record or any entries relating to the
14 person's arrest, charge, or trial shall be sent to the Administrative Office of the Courts to be
15 maintained in a confidential file under seal, only to be released to the General Court of Justice
16 of North Carolina in response to a court order by a Superior Court Judge who has made a
17 finding of exceptional circumstances.

18 (c1) The expunction shall be automatic and the person shall not be required to file a
19 petition for the expunction. The costs of expunging the records, as required under
20 G.S. 15A-150, shall not be taxed against the petitioner. The clerk shall notify State and local
21 agencies, as provided in G.S. 15A-150, and all law enforcement agencies; the Department of
22 Public Safety, Combined Records Section; the State Bureau of Investigation; the Division of
23 Motor Vehicles; and any other State or local government agencies identified by the petitioner
24 as bearing record of the person's arrest, charge, or trial of the court's order including
25 instructions for forwarding records to the Administrative Office of the Court prior to
26 expunction, as provided in G.S. 15A-149A(c)."; and
27

28 moves to amend the bill on page 1, line 14, by deleting the word "apprehension," and
29 substituting the word "arrest"; and

30 moves to amend the bill on page 1, line 20, by deleting the word "apprehension," and
31 substituting the word "arrest"; and

32 moves to amend the bill on page 1, line 25, by deleting the word "apprehension," and



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H571-ATT-22 [v.1]

Page 2 of 2

- 1 substituting the word "arrest"; and
- 2 moves to amend the bill on page 1, line 30, by deleting the word "apprehension," and
- 3 substituting the word "arrest"; and
- 4 moves to amend the bill on page 2, subsection (d), line 11 prior to amendment, by deleting the
- 5 word "apprehension," and substituting the word "arrest".

SIGNED Allen McNeill
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**