



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

---

Legislative Document

No. 848

---

H.P. 537

House of Representatives, February 21, 2023

### **An Act to Expunge Certain Nonviolent Drug Crimes**

---

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative FAULKINGHAM of Winter Harbor.  
Cosponsored by President JACKSON of Aroostook and  
Representatives: ANDREWS of Paris, CLOUTIER of Lewiston, Speaker TALBOT ROSS of  
Portland, TERRY of Gorham, Senator: VITELLI of Sagadahoc.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 15 MRSA c. 313** is enacted to read:

3 **CHAPTER 313**

4 **EXPUNGEMENT OF RECORDS**

5 **§2321. Expungement of records of nonviolent crimes**

6 **1. Drug possession crimes.** A person convicted of violating Title 17-A, section  
7 1107-A may petition the court in which the conviction was recorded to expunge the record  
8 of the conviction after a period of 5 years from the completion of the sentence. The court  
9 shall order all records of the conviction expunged if the defendant has not been convicted  
10 of a crime in this State or any other jurisdiction since the conviction subject to the petition  
11 and has no formal charging instrument for a crime pending in this State or any other  
12 jurisdiction.

13 **2. State Bureau of Identification.** Following receipt of a court order for expungement  
14 under subsection 1, the Department of Public Safety, Bureau of State Police, State Bureau  
15 of Identification shall make the necessary arrangements with the identification division of  
16 the Federal Bureau of Investigation to have all references to the expunged crime deleted  
17 from the Federal Bureau of Investigation's identification record and any state materials  
18 returned to the contributing agency.

19 **SUMMARY**

20 This bill allows a person convicted of violating the Maine Revised Statutes, Title 17-A,  
21 section 1107-A to petition the court where the person was convicted to expunge all records  
22 of the crime 5 years after the completion of the person's sentence. Expungement is not  
23 available for persons who have subsequent convictions or pending criminal charges.