

The Frontiers of Dignity:

Clean Slate and Other Criminal Record Reforms

2022

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COLLATERAL CONSEQUENCES RESOURCE CENTER

The Collateral Consequences Resource Center is a non-profit organization established in 2014 to promote public engagement on the myriad issues raised by the collateral consequences of arrest or conviction. Collateral consequences are the legal restrictions and societal stigma that burden people with a criminal record long after their criminal case is closed. The Center provides news and commentary about this dynamic area of the law, and a variety of research and practice materials aimed at legal and policy advocates, courts, scholars, lawmakers, and those most directly affected by criminal justice involvement.

Our Restoration of Rights Project, of which the present report is a part, describes and analyzes the various laws and practices relating to restoration of rights and criminal record relief in each U.S. jurisdiction. In addition to state-by-state profiles, a series of 50-state comparison charts and periodic reports on new enactments make it possible to see national patterns and emerging trends in formal efforts to mitigate the adverse impact of a criminal record. We consult in support of state law reform efforts and have prepared studies of access barriers to petition-based record clearing, and of monetary barriers and eligibility waiting periods. In addition, we participate in court cases challenging specific collateral consequences, and engage with social media and journalists on these issues. For more information, visit the CCRC website at <http://ccresourcecenter.org>.

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By Margaret Love & Rob Poggenklass

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INTRODUCTION AND OVERVIEW

Introduction

At the beginning of each year since 2017, CCRC has issued a report on legislative enactments in the year just ended, new laws aimed at reducing the barriers faced by people with a criminal record in the workplace, at the ballot box, and in many other areas of daily life. These annual reports document the steady progress of what our [2020 report](#) characterized as “a full-fledged law reform movement” aimed at restoring rights and dignity to individuals who have successfully navigated the criminal law system.

In the three years between 2019 and 2021, more than 400 new record reforms were enacted. Many states enacted new laws every year, and all but two states enacted at least one significant new law during this period. A full appreciation of the scope of this movement can be gained by reviewing the detailed 50-state charts and state-by-state profiles in our [Restoration of Rights Project](#).

The modern law reform movement reflected in our annual reports is bipartisan, grounded in and inspired by the circumstance that almost a third of adults in the United States now have a criminal record, entangling them in a web of legal restrictions and discrimination that permanently excludes them from full participation in the community. **It reflects a public recognition that the “internal exile” of such a significant portion of society is not only unsafe and unfair, but it is also profoundly inefficient.**

We are pleased to present our report on new laws enacted in 2022, titled *The Frontiers of Dignity: Clean Slate and Other Criminal Record Reforms in 2022*. While this report shows that the legislative momentum gathering since 2018 slowed somewhat in the past year, there has still been progress, with more new laws enacted this year than in 2018 when the current reform movement took off in earnest.

The title of this report is borrowed from the Basic Law adopted by the Federal Republic of Germany after World War II, which declared that “Human dignity shall be inviolable. To respect and protect it shall be the duty of state authority.” Most European countries incorporate this foundational premise, as well as a concern for individual privacy, into their treatment of criminal records, by making them largely unavailable to the public and by limiting how they are used to deny rights and opportunities.

In part because American legal systems are not similarly grounded in respect for dignity and privacy, our progress toward a fair and efficient criminal records policy has been slow and uneven. Yet it has been steady, animated in recent years both by a concern for racial justice and by economic self-interest. This report, like our past annual reports, attempts to capture this steady progress toward recognizing the worth and dignity of the millions of Americans whose past includes a record of arrest or conviction.

Report Overview

This overview highlights key developments in reintegration reforms from the past year. Following it, our fourth annual legislative **Report Card** recognizes the most productive legislatures in 2022, and notes that there are now only two states have enacted no record reforms since our reporting began in 2016. The body of the report provides topical discussions of last year’s reform measures, followed by an appendix documenting and summarizing the new laws by jurisdiction. More detailed analysis of each state’s laws is available in the state profiles from CCRC’s Restoration of Rights Project, and a national overview is presented in our 50-state comparison charts on various types of record relief.

In 2022, 33 states, the District of Columbia, and the federal government enacted 71 separate pieces of legislation, passed two ballot initiatives, and took unprecedented executive actions to restore rights and opportunities to people with an arrest or conviction history.

As in past years, more than half of the new authorities involved individual record clearing: 22 states and the federal government enacted 37 measures and took six executive actions that revise, supplement or limit public access to individual criminal records to reduce or eliminate barriers to opportunity. Because of the significant progress on this front in recent years, most of the laws enacted in 2022 represent measured changes to existing record relief schemes rather than radical new reforms. At the same time, three states significantly expanded automatic “clean slate” record relief, a handful of states continued to remove marijuana convictions from public view, and other states trimmed barriers to relief by reducing waiting periods or eliminating obstacles to relief represented by outstanding court debt (fines and fees). Executive actions also continued the momentum, particularly with actions to relieve the consequences of past marijuana convictions.

In addition, many of the new laws limited consideration of criminal record in economic settings: **20 states and the federal government enacted 24 new measures regulating employment and occupational licensing, while two more states removed barriers to restoring a driver’s license.** A few states made

significant improvements in their occupational licensing laws by enacting binding preliminary applications for licensure, and by limiting the types of records that licensing agencies may consider.

Arizona is the only state whose legislature took steps this past year to restore civil rights to those with felony convictions, although governors in Missouri, Virginia and Wisconsin used their pardon power to restore civil rights in unprecedented ways.

As in the past, the state legislatures that have enacted the most significant reforms span the political spectrum, from California and Maryland to Oklahoma and Utah. The report highlights the renewed interest in executive pardons by both Republican and Democratic governors, notably in Missouri (where large case backlogs invited energetic executive attention), in Wisconsin (where the pardon power had been shelved for almost a decade), and in Oregon (where 45,000 individuals benefitted from pardons in response to marijuana legalization).

Overall, while there were fewer record reforms in 2022 than in the three preceding years, it would be a mistake to see this as a flagging of the reform wave we've identified in previous reports. In fact, the productivity of state legislatures in 2022 mirrors their performance in 2018, itself a year that broke every record. If 2022 marked a return to pre-2019 productivity levels, several states making significant strides toward restoring rights and clearing records, and many others built on and extended reforms enacted in earlier years. **This year's criminal record reforms bring the total number of separate laws enacted in the past five years to more than 500.**

Looking ahead to 2023, we expect to see a continuing expansion of eligibility for record clearing, and reduction of access barriers like lengthy waiting periods, outstanding court debt and application-related costs. **We also predict efforts to improve records management to accommodate automation of record clearance.** We look for extension of state fair employment laws, and further facilitation of occupational licensing, both areas where bipartisan reforms have benefitted from helpful model laws. We are slightly less optimistic about additional progress toward dismantling the structure of felony disenfranchisement, which has become mired in faction looking toward the presidential race in 2024. **Hopefully, 2023 will see some record reform action in Congress and federal agencies, including measures to extend access to government-guaranteed loans and contracting opportunities** to small businesses owned or managed by people with a criminal history. We have come a long way just in the past five years, but there is still a long way to go.

REPORT CARD

Reintegration Awards for 2022

While more than a handful of states enacted noteworthy laws in 2022, two states stand out for the quantity and quality of their legislation: **California and Oklahoma share our 2022 Reintegration Champion award for their passage of at least two major pieces of record reform legislation.**

- **California** – Enacted a whopping 11 new laws, including the broadest general record clearing law in the nation, a direction to courts to effectuate clearing of marijuana records, removal of restitution as a bar to clearing criminal records, easing access to judicial certificates of rehabilitation, and simplification of the process for certifying people with criminal records to work in community care. California’s governor also vetoed a bill that would have facilitated background screening by eliminating court-imposed restrictions on access to personal identifying information online.
- **Oklahoma** – Enacted a major automatic record clearing law and the most sweeping update to an occupational licensing scheme of any state in the country this year. Oklahoma also passed a significant law allowing young people who successfully complete the state’s youthful offender program to have their charges dismissed and expunged.

Another eight states earned an Honorable Mention for their enactment of at least one significant new record reform law:

- **Colorado** – Expanded automatic sealing to include all offenses eligible for petition-based sealing, reduced the waiting period for low-level drug possession from three years to two, and enhanced procedural rights of those applying for occupational licenses.
- **Connecticut** – Made it easier for people with felony convictions to work in dozens of occupations under the state department of public health and authorized a binding preliminary determination.
- **Delaware** – Enacted the “Fair Chance Licensing Act,” establishing a binding preliminary application process, providing that many records may not be grounds for denial (convictions over 10 years old with no intervening convictions; pardoned, sealed, or expunged convictions; non-conviction records; and juvenile adjudications). Even “substantially related” crimes must be given an opportunity for a waiver via a board vote. Delaware also authorized

automatic expungement of records of charges lacking a final disposition and prohibited higher education institutions from inquiring into an applicant's criminal history.

- **Indiana** – Eliminated the one-year waiting period for sealing non-conviction records, including uncharged arrests, and made this relief automatic.
- **Louisiana** – Strengthened and extended its occupational licensing law, by establishing a binding preliminary determination, providing for appeal, bringing many new boards under its general licensing limits, and adopting new factors to be considered in determining “direct relationship.” The state also provided unusually broad record relief for victims of human trafficking.
- **Maryland** – Legalized the personal use of up to 1.5 ounces of cannabis for adults 21 and older, authorized resentencing and expungement of marijuana conviction records and established a business assistance fund that prioritizes individuals with cannabis convictions. Maryland also enacted a law removing state authority over the delinquency of children aged 13 and under.
- **Missouri** – Missouri voters amended the state constitution to legalize personal use of marijuana, and at the same time authorized release from prison for those serving prison sentences for marijuana trafficking, provided for automatic expungement for numerous marijuana convictions upon completion of sentence, and extended preference in commercial licensure to sell legalized marijuana to those with convictions. In addition, Governor Mike Parson has become the most prolific pardoner in the state in more than 40 years, working efficiently to reduce a case backlog built up over many years.
- **Rhode Island** – Legalized adult possession of small amounts of marijuana, provided for automatic expungement of convictions for decriminalized marijuana offenses, and waived costs as a bar to expungement for anyone who has been incarcerated for a marijuana offense.

Low marks go to two states that enacted no record reform laws at all in 2022. While there are many other states in this category this year, the legislatures of **Alaska** and **Wisconsin** earn their place at the bottom of the heap for having been equally unproductive in 2021, 2020 and 2019, years in which almost every other state passed at least some law limiting access to and use of criminal records. Wisconsin’s one saving grace is the extensive record of pardoning by Governor Tony Evers in the past 30 months, during which he has pardoned more than 600 individuals, 325 in 2022 alone.

CRIMINAL RECORD IN ECONOMIC SETTINGS

There were fewer reforms in 2022 directly affecting economic opportunity than in 2021, with no new statewide laws affecting housing, employment, or public benefits. This section recaps 2022 reforms that limit consideration of criminal history records across three categories of economic opportunity: (1) driver's licenses, (2) occupational licensing, and (3) small business financing.

1. Driver's Licenses

In 2022, one state passed a law ending or restricting the practice of suspending driver's licenses for unpaid child support debt. One additional state passed a law facilitating reinstatement of commercial driver's licenses.

- **California** prohibited the Department of Child Support Services from seeking the denial, withholding, or suspension of a driver's license from low-income child support obligors, mitigating the state's harsh penalties for child support arrears. ([SB 1055](#))
- **Idaho** provided for petition-based reinstatement of a commercial driver's license after a 10-year waiting period, given no alcohol- or drug-related convictions, convictions occurring in a vehicle, or felony convictions involving a motor vehicle in the past 10 years; and no convictions involving withdrawal of driving privileges in the past three years. Applicants must have been a valid Idaho license holder for at least three consecutive years beforehand, completed a four-hour safety course and must have completed rehabilitation if disqualification was based on an alcohol- or drug-related conviction. Individuals are ineligible for a second reinstatement of license upon subsequent conviction of a "disqualifying major offense." If disqualification originated from another jurisdiction, that jurisdiction "must be willing" to reinstate the license. ([HB 526](#))

2. Occupational Licensing

Of all the criminal record reforms enacted during this modern reintegration reform era, only record sealing approaches the regulation of occupational licensing agencies in terms of breadth and likely efficacy, and it is far less consistent because it lacks the influence of several model laws governing occupational licensure. In 2022, **18 states enacted 21 laws limiting consideration of criminal records in granting occupational licenses, several of them building on earlier reforms.** Note that we did not include in our inventory most laws addressing consideration of criminal history in connection with specific licenses, unless those licenses cover a large range of significant professions (e.g., healthcare).

Oklahoma amended and strengthened many of the provisions enacted in the comprehensive revision of its licensing scheme in 2019. Five states established

preliminary application processes for occupational licensing and/or certification (**Delaware, Louisiana, Minnesota, Virginia, Wyoming**), while three other states removed ambiguous “moral character” language from their licensing schemes (**Arizona, Idaho, Utah**). Four states relaxed licensing requirements for healthcare workers (**California, Connecticut, Florida, New Hampshire**). Three states enacted laws specifically to promote licensing in the legalized cannabis industry for people and communities impacted by marijuana arrests or convictions (**Maryland, Missouri, Rhode Island**). Three other states passed five more modest laws that will improve occupational licensing for people with criminal records. These laws are described in more detail below:

- **Arizona** amended its occupational licensing laws, removing ambiguous references to “good moral character” and similar language from several business and professional licensing schemes, including livestock slaughtering, liquor licenses, horseracing and other wagering enterprises, acquisition of banks and trusts, mortgage origination, contractors, health care facility operators and certain health care professionals, school bus operators, and others. ([HB 2612](#))
- **California** broadened its existing simplified criminal record exemption process for licensing to work in community care facilities to include applicants who have multiple convictions for a single incident. The new law removes a requirement to sign a document regarding criminal record under penalty of perjury and removes a requirement for the state DSS website to post aggregate data regarding applicant background check process. Finally, the new law prohibits the state DSS from requiring self-disclosure of criminal history information. ([AB 1720](#))
- **Colorado** extended procedural rights to applicants for occupational licenses, requiring licensing agencies to send information to an individual before making a final determination, detailing the grounds for denial based on their record and informing them of their right to provide additional evidence relevant to disqualifying factors, and to appeal a denial. ([HB 22-1098](#)). The law also requires the director of the Division of Professions and Occupations to conduct an audit of all licensing agencies to identify barriers to licensure and to produce a report and recommendations for House and Senate committees on the currently existing barriers to licensure based on records, as well as statistics on denial of licenses based on records and reasons for denial.
- **Colorado** also enacted a law to improve employment opportunities for juveniles by amending § 19-2.5-108 to prohibit public or private employers from asking about juvenile records, and by amending § 24-5-101(2)(b) to add juvenile records to the list of records that may not be considered by licensing agencies in considering an applicant for licensure. ([HB1383](#))
- **Connecticut** provided for exceptions to felony disqualification for occupational licensure for dozens of occupations subject to the jurisdiction of the Department of Public Health, including social workers, dietitians, funeral directors, aestheticians,

and hairdressers. The new law requires a felony conviction to be “reasonably related” to the occupation and provides for a binding preliminary determination. ([HB 5248](#))

- **Delaware** enacted the “Fair Chance Licensing Act,” establishing a binding preliminary application process ([HB 404](#)). The law provides that certain criminal history records (except sexual offenses) may not be grounds for denial unless an explicit exception is provided by law: convictions over 10 years old with no intervening convictions; pardoned, sealed, or expunged convictions; non-conviction records; and juvenile adjudications. Even “substantially related” crimes have an opportunity for a waiver via a board vote.
- **Florida** relaxed background screening requirements for certification as a peer specialist—someone providing recovery services for drug addiction and mental health who has been in recovery from a substance use disorder or mental illness for two years or is a family member or caregiver of someone in recovery. The new law allows for up to one year of professionally supervised work while in the process of becoming certified as a peer specialist. The law disqualifies individuals for felony conviction if release from supervision is within the past three years notwithstanding monetary conditions, and for various violent, sexual, and medical-related convictions. However, the law allows for a request for exemption from disqualification. ([SB 282](#)) S.B. 282
- **Idaho** removed “moral” from “good moral character” in the definitions section of its overall occupational licensing law, and in many specific licensing provisions, and defined “good character” by records that have been assessed according to “currently relevant” standards. ([S 1368](#))
- **Illinois** passed a law regulating consideration of criminal record for certain real estate-related licenses. The new law prohibits consideration of sealed or expunged convictions, arrests not followed by a conviction, juvenile adjudication records, arrest records with dismissed charges, or convictions overturned by a higher court. It requires an applicant to notify the board of financial crimes or administrative sanctions. The new law also removes a criminal background check from registration requirements for an appraisal management license and narrows the types of criminal records required to be disclosed in the application for a real estate brokerage license to financial crimes or administrative sanctions. ([HB 5167](#))
- **Illinois** also established a task force to examine barriers to licensure and create reports on denial of licensure statewide, including most common reasons for denial. The task force must include a member who has experienced barriers to licensure specifically due to incarceration and a member who is from a nonprofit organization related to reentry. ([HB 5575](#)). Illinois also passed the Regulatory Sunset Act, which creates accountability for licensing boards to prevent regulation that adversely affects “equitable access to quality jobs and opportunities,” analyzing whether a licensing board restricts access to a profession more than is necessary to protect the “public health, safety, or welfare from significant and discernible harm or damage.” ([HB 5576](#))

- **Louisiana** established a binding preliminary determination, providing the right to appeal, submit additional information, and reapply. Boards must publish criminal record requirements on their websites. The new law prohibits several boards from denial of licensure based solely on conviction. An exclusion is limited to lottery, boxing, gaming, and racing. Finally, the new law provides new factors to be considered for the determination of “direct relationship.” ([HB 639](#))
- **Maryland**, as part of its cannabis legalization law, established a Cannabis Business Assistance Fund that will prioritize grant and loan awards for individuals with cannabis convictions. ([HB 837](#))
- **Minnesota** Established a binding preliminary application process. State agencies must issue a written decision within 60 days of receiving a completed preliminary application. If an applicant is deemed ineligible, a written decision must state all reasons the application would be denied and inform the applicant of any action the applicant could take to qualify. The new law requires data on preliminary applications and criminal record disqualifications to be reported to legislative committees with jurisdiction over employment. These provisions do not apply to department of health, other health-related professions, department of education, or department of human services. ([HF 3255](#))
- **Missouri**: In a ballot initiative to legalize recreational marijuana, Missouri amended its state constitution to allow people with nonviolent marijuana felony convictions to become eligible for medical marijuana licensing and marijuana microbusiness facility licensing. ([Amendment 3](#))
- **New Hampshire** established the opportunity for applicants for employment in a residential care facility to work temporarily for up to 90 days pending their criminal background check results, so long as they have passed a record check as part of a nursing assistant program within the past year and have provided written attestation that no disqualifying criminal record exists. ([HB 1659](#))
- **Oklahoma** expanded the “substantial relationship” standard with specific factors, and prohibited consideration of certain records (non-convictions, sealed/pardoned/expunged convictions, and certain non-violent convictions after five years without new conviction). Prohibited vague “moral character” criteria. Required written notice to applicant before determination and an opportunity to appeal and reapply. Required publication of data on certifications granted and denied due to criminal history, published information on each licensing authority's website about whether criminal history can be used in determinations, and a right to request a determination of potential disqualification before pursuing education needed for licensing. Allows disqualification only if conviction poses a “reasonable threat to public safety, health, or welfare.” ([SB 1691](#))
- **Utah** removed ambiguous “good moral character” language from six professions: funeral service director, health service administrator, veterinarian, nurse midwife, alarm company applicant and their “qualifying agent” and online prescriber. ([SB 43](#))

- **Virginia** enacted two laws that, if reenacted in 2023, would make a number of changes in the language governing a board's determination of "direct relationship" to limit a board's ability to reject applicants based on their criminal history. The laws exclude from a licensing agency's consideration convictions that have been sealed, pardoned, expunged, dismissed, or annulled, and also non-conviction records. They amend the factors for consideration of "direct relationship" to be more specific, for example changing "criminal activity" to "criminal convictions," and add three factors for consideration: progress towards completion of sentence, completion of treatment programs, and completion of rehabilitative programs. The new laws elaborate upon "any other evidence of rehabilitation" to specifically mention testimonials from community or faith leaders, recovery specialists, etc. They require a board's written reasoning upon denial but do not mention an appeal or reapplication process. The provisions of the laws do not become effective unless reenacted by the 2023 Session of the General Assembly. The legislation requires, beginning July 1, 2025, the Department to include certain data related to the criminal history of applicants to each regulatory board in its biennial report. ([SB 409/HB 282](#))
- **Washington** reduced barriers to professional licensure for non-conviction and conviction records. The new law expands standards for consideration of criminal history to include nature and seriousness of offense, age at time of offense, relationship of offense to profession, and evidence of treatment. It also prohibits discrimination for licensure based on sealed/pardoned/expunged/juvenile convictions. ([HB 1874](#))
- **Wyoming** provided for a preliminary determination on qualification for licensure, but it is not binding on board. ([HB 39](#))

3. Small Business Support

The **United States** Small Business Administration (SBA) promulgated a [rule](#) governing certification for participation in its Veteran-Owned Small Business Development program. The rule eliminates ineligibility where a business owner is currently incarcerated or on parole or probation. In addition, the rule omits the requirement that a business owner have "good character," with the result that only an applicant's current debarment or suspension from federal contract eligibility, or intentional false statements in an application, may be grounds for denial of a contract.

California passed a law extending COVID-related sick leave benefits to employees of small businesses with between 26 and 49 employees, excluding only business owners of at least 10% of the business who have been convicted or been placed on probation in the last three years for certain specified crimes, including financial and other fraud offenses, theft, forgery, false statements, or receiving stolen property, or who have charges involving these offenses pending against them. ([AB152](#))

RECORD RELIEF

What we call “record relief” is a form of remedy that operates on the criminal record itself to reduce its negative effect by revising, supplementing, or limiting access to the record. Again this year, record relief legislation constituted a majority of the new laws enacted to help people overcome the adverse effects of a criminal record. Although 2022 marked a slowdown in new laws from the prior three years, legislatures continued to improve access to record relief. **Including all record relief measures, 24 states and the federal government enacted 40 laws, approved two ballot initiatives and seven notable executive actions last year to reduce or eliminate criminal record barriers to opportunity.**

This section recaps 2022 record relief reforms in three categories: (1) record clearing & set-aside; (2) executive pardon; and (3) diversionary dispositions. The first category is broken down into several different subcategories: general laws, clean slate automatic laws, marijuana relief, decriminalized offenses, laws benefitting victims of human trafficking and juveniles, laws shortening waiting periods and omitting court debt as a barrier, and a catch-all miscellaneous category.

1. Record Clearing & Set-Aside

Last year, 22 states enacted 36 laws and approved two ballot initiatives to authorize, expand, or streamline record clearing (sealing or expungement) or set-aside remedies. This section divides these laws into the following subcategories: (a) general conviction clearing; (b) automatic record clearing; (c) marijuana offenses; (d) victims of human trafficking; (e) decriminalized offenses; (f) juvenile records; (g) reduction of wait periods; (h) fines and fees as a barrier to record clearance; and (i) miscellaneous.

A. General petition-based conviction clearing

California extended petition-based record-clearing authority to most new felonies, while also extending its broad automatic authority (described in the following section) giving it the broadest record-clearing scheme in the nation. Individuals with new felony convictions in California will now be able to petition for relief two years after completing their sentences. On the other end of the spectrum, **Maine** took modest steps to include a limited sealing authority for those convicted of Class E crimes between the ages of 18 and 28. Additional new or expanded record-clearing authorities can be found in the subsections on marijuana relief and in the “miscellaneous” section.

- **California** authorized a major expansion to petition-based record relief. A person with any felony conviction can petition for relief two years after completion of their sentence, except if the person was required to register as a sex offender. Previously, California law excluded felony convictions that resulted in a state prison sentence from any type of record relief. Notably, this expansion of petition-based relief applies only to convictions obtained on or after January 1, 2021. (The same law also significantly expands automatic relief—see description in Section B.) ([SB 731](#))
- **Maine** provided for sealing of Class E offenses committed by individuals between the ages of 18 and 28, including a four-year waiting period with no new convictions or deferred dismissals. This is the state’s only sealing authority applicable to adult convictions, since an earlier law allowing sealing for crimes committed between the ages of 18 and 21 expired in 2019. Provides a list of entities that will still have access to the sealed criminal record, including financial institutions where required by law to conduct a criminal background check. A narrower version of a failed bill from 2021 providing for sealing of more crimes, with no age requirement or waiting period. ([LD 1310](#))

B. Automatic record clearing

Three states significantly expanded automatic record clearing in 2022, while three others enacted more modest reforms. **California** extended automatic relief to lower-level felony convictions and all felony non-convictions. Both **Colorado** and **Oklahoma** expanded automatic record relief to include offenses that were previously eligible for petition-based relief. **Utah** improved and expanded its 2019 Clean Slate Act, **Indiana** made expungement of most non-conviction records automatic at disposition, and **Delaware** made expungement of undisposed records automatic after seven years. Three additional states authorized or extended automatic clearance of marijuana convictions, discussed in the following section.

- **California** now has the broadest automatic record clearing laws in the country. A new law expands automatic record relief to include any person convicted of a low-level felony and sentenced to probation on or after January 1, 2005, if they violated probation but later completed the sentence. An individual must remain conviction-free for four years after completion of sentence. Serious and violent felonies, and offenses requiring registration as a sex offender are excluded. The new law also expands automatic relief to all felony non-convictions since January 1973. Serious felonies are eligible six years after arrest, while lower-level felony non-convictions remain eligible after three years. ([SB 731](#))
- **Colorado’s** “Clean Slate” law expands automatic sealing, previously applicable only to drug offenses, to all offenses eligible for petition-based sealing. This includes records involved in diversion agreements and records associated with status as a victim of human trafficking, except violent crimes. There is a 10-year wait period for felony convictions, a seven-year wait for misdemeanors, and four years for civil

infractions. Payment of fines and fees is not a precondition for automatic sealing. Prosecutors can object to sealing of non-drug related felony convictions based on "public interest and public safety," resulting in a hearing. Non-conviction records are immediately sealed. ([SB 099](#))

- **Delaware** expanded the category of dismissed cases eligible for mandatory expungement to include any charge that lacks a disposition after seven years, unless the case has an active warrant or there is documented case activity within the last 12 months. Records eligible for mandatory expungement will be automatically expunged when the state's automatic law becomes operational in August 2024. ([HB 447](#))
- **Indiana** eliminated the one-year waiting period for expungement of non-conviction records, and made this relief automatic, subject to certain exceptions, if: (1) all pending charges or allegations against a person are dismissed; (2) the person is acquitted or the conviction or true finding is vacated; (3) one year has passed since allegations were filed against a juvenile and the state is not pursuing the case; or (4) the person is arrested for a crime and no charges have been filed within 180 days. Specifies that an arrest, criminal charge, or juvenile delinquency allegation that results in an adjudication for an infraction does not result in a conviction for purposes of expungement. Authorizes a person participating in a pretrial diversion program to file a petition for expungement with the authorization of the prosecuting attorney. ([SB 182](#))
- **Oklahoma's** "Clean Slate" law provides for automatic expungement of misdemeanors eligible for petition-based relief under existing law, as well as automatic expungement of non-conviction records. Prosecutors have 45 days to object, which they may do if a case is ineligible, the individual has not paid court-ordered victim restitution, or the state believes the person continues to engage in criminal activity. An objection does not prevent an individual from petitioning to expunge their record. ([HB 3316](#))
- **Utah** expanded its Clean Slate Act, passed in 2019, to include qualifying dismissed charges and traffic offenses. ([SB 35](#))

C. Marijuana offenses

Four states passed four laws, and two states approved ballot initiatives, authorizing clearance of marijuana convictions, in some cases automatically.

Maryland, Missouri, and Rhode Island adopted record-clearing provisions in connection with legalization of adult-use cannabis, authorizing sealing and expungement of convictions well beyond legalized conduct. Maryland and Missouri approved legalization and expungement by ballot initiative, and both Missouri and Rhode Island made at least some relief automatic. Missouri's automatic record clearing of marijuana convictions, approved by ballot initiative, is the broadest in the nation. These four states also address racial disparities in marijuana criminalization by directing tax revenue and business opportunities for legal marijuana to individuals and communities disproportionately affected by criminal law

enforcement. During this same timeframe, **California** and **Massachusetts** enhanced their existing marijuana-specific record sealing statutes. In October President Biden issued an order pardoning **federal** and **D.C.** marijuana possession convictions, and **Oregon** Governor Kate Brown followed suit shortly afterwards (see pardon section, *infra*).

An analysis of marijuana relief measures enacted in 2022, drafted by CCRC in collaboration with the Ohio State Drug Enforcement and Policy Center, is at [this link](#). This report includes a 50-state survey of all marijuana-specific record relief measures, with information taken from the 50-state comparison chart from the Restoration of Rights Project website.

California: Authorized additional measures to accomplish automatic relief measures for marijuana convictions previously authorized in 2016 and 2018, directed courts to resentencing and redesignate cannabis convictions and to expunge previously sealed marijuana records. It also required monthly progress reports from the DOJ/Judicial Council on implementing these measures. ([AB 1706](#))

Maryland: A 2022 ballot initiative legalized personal use amounts of marijuana (1.5 ounces), and a statute enacted contingent on adoption of the initiative shortened waiting periods for petition-based expungement of misdemeanor and felony marijuana convictions. The statute provides that a person may petition for expungement of a misdemeanor possession conviction for "personal use" amount of up to 1.5 ounces upon completion of sentence, and of possession of "civil use" amounts (misdemeanor or felony) of up to 2.5 ounces three years after completion of sentence. Also, a new section directed the Department of Public Safety to automatically expunge conviction records in the central repository for convictions for cannabis possession that are no longer criminal, where the cannabis charges are the only charges in the case (court records may be expunged only pursuant to the petition process described above). ([HB 1 / Question 4](#); [HB 837](#))

Massachusetts: Low-level marijuana convictions became eligible for expungement by petition with no waiting period in 2018, as a result of previous decriminalization legislation. In 2022, S3096 expanded eligibility for expungement by petition to include previously decriminalized cultivation and possession with intent to distribute offenses. The court is required to expunge within 30 days upon a determination of eligibility. ([S 3096](#))

Missouri: A 2022 ballot initiative (Section 2, subsection 10) removed bans on purchase, possession, or consumption of up to three ounces of marijuana by adults at least 21 years of age; provided civil penalties for those under 21; provided civil penalties for possession and distribution of up to six ounces, with third offense a misdemeanor. The initiative also authorized vacatur and expungement by petition for those currently incarcerated for offenses that are no longer criminal and for offenses involving up three pounds of marijuana, with certain exceptions (violence, delivery to a minor and marijuana-related traffic offenses); automatic vacatur and expungement for those currently under supervision for the same offenses, excepting only delivery to a minor and marijuana-related traffic offenses; and.

automatic expungement of all misdemeanor marijuana convictions, and of most felony marijuana convictions, upon completion of sentence. See Initiative No. 3, Sec. 2, Subs.10(7) and (8). ([Amendment 3](#))

Rhode Island: The Rhode Island Cannabis Act authorized automatic expungement of any conviction for cannabis possession, use or purchase decriminalized by the Act (1 oz. or less anywhere, 10 oz. within the home), no later than July 2024. Waives expungement costs for anyone who has been incarcerated due to a marijuana conviction. Expungement is available notwithstanding previous convictions, additional convictions in other counts in the same case, pending criminal proceedings, and outstanding court costs and fees. ([S 2430](#))

D. Victims of human trafficking

Four states passed five laws improving access to record relief for victims of human trafficking. **Louisiana** established petition-based record clearance of offenses related to a person's status as a victim of human trafficking, and **Tennessee** passed two laws strengthening its provisions authorizing expungement of conviction and non-conviction records for victims of human trafficking. **New Jersey** expanded eligibility under its existing law to include persons convicted of all but the most serious violent offenses. Tennessee strengthened its law allowing expungement of And **California** clarified, for federal immigration purposes, that eligible convictions were invalid due to legal defect.

- **California** clarified that vacatur relief for offenses committed while the petitioner was a victim of human trafficking, intimate partner violence, or sexual violence demonstrates that the petitioner lacked the requisite intent to commit the offense, and that the conviction is invalid due to legal defect. ([AB 2169](#))
- **Louisiana** provided for petition-based expungement and sealing of certain offenses related to an individual's involvement as a victim of human trafficking. Establishes "preponderance of evidence" standard for judging relation of offense to human trafficking involvement, and "presumption" standard for cases involving government or agency documentation, though documentation is not necessary for a set-aside motion to be granted. Record-clearing is free and requires copies of all records related to the offense to be given to the individual free of charge. Broadens language relating to the definitions of human trafficking and related crimes. ([SB 148](#))
- **New Jersey** expanded authority to seal records of victims of human trafficking to all but serious violent offenses. The new law allows for a person to make virtual courtroom appearances for the petition process. It also provides for the victim of an offense to be notified of the sealing request in some cases. ([A 5322](#))
- **Tennessee** removed a conviction for prostitution as a requirement for expunction of multiple, nonviolent convictions relating to status as a victim of human trafficking. ([SB 2303](#)). Tennessee also exempted human trafficking victims from two provisions governing general expungement of non-conviction records, that a person is not

entitled to expungement of non-conviction records if convicted of a similar charge or if convicted of one or more charges in a single indictment. ([SB2400](#))

E. Decriminalized offenses

Two states provided for record clearance of decriminalized offenses. California authorized record clearing for loitering related to prostitution, while **Ohio** allowed for expungement of concealed handgun violations now legalized.

- **California** repealed Penal Code sections related to loitering with the intent to commit prostitution and authorizes a person convicted under the repealed section to petition the trial court for a recall or dismissal of sentence. Upon receiving a petition, the court shall presume the petitioner satisfies the criteria for recall and dismissal of sentence unless the party opposing the petition proves by clear and convincing evidence that the petitioner does not satisfy the criteria. If the petitioner satisfies the criteria, the court shall grant the petition and dismiss the sentence as legally invalid. ([SB 257](#))
- **Ohio** authorized expungement of concealed handgun violations now legalized, upon petition. ([SB 215](#))

F. Juvenile records

Five states enacted six laws to expand record clearing opportunities for individuals who committed youthful offenses. Colorado enacted a law improving employment and occupational licensing opportunities for juveniles. Two new laws in **Florida** expand expunction for youth who complete diversion programs for felonies, including “nonjudicial records.” **Oklahoma** extended petition-based expungement to include individuals whose records are dismissed upon successful completion of its youthful offender program. **Maryland** and **Idaho** expanded diversion opportunities.

- **Colorado** enacted a law to improve employment opportunities for juveniles by prohibiting public or private employers from asking about juvenile records, and by adding juvenile records to the list of records that may not be considered by licensing agencies in considering an applicant for licensure. Under existing law, public employers and licensing agencies may not use as a basis for denial or adverse action arrests and charges not resulting in conviction (though the conduct underlying the arrest may be considered), convictions that have been pardoned, sealed or expunged, or convictions as to which a court has issued an order of collateral relief. ([HB 1383](#))

- **Florida** expanded juvenile expunction laws to cover youth who complete diversion program for felonies — except for forcible felonies or firearm-related felonies — and arrests beyond a minor’s first offense. Forcible felonies include murder, rape and kidnapping, among others. Under current law, expungement opportunities are limited to minors who complete a diversion program solely after a first-time misdemeanor arrest. ([HB 195](#)). Last year, a [bill](#) extending this provision to “any offense” was vetoed; this year’s bill is the same except it exempts “forcible felonies” and felonies involving a “firearm or weapon.” A second law passed this year provides for juvenile nonjudicial record expungement upon diversion program completion. The law applies retroactively and requires that sealed or expunged juvenile nonjudicial records be kept confidential and exempt from existing public records requirements. ([HB 197](#))
- **Idaho** broadened its provisions for juvenile diversion so a prosecutor may refer a juvenile directly to county probation without “if court action is not required” precondition, and authorized development of a validated screening tool to determine eligibility. The new law removes a fee charged to juveniles for community service work and limits the “informal adjustment” period to three years. ([HB 453](#))
- **Maryland** added an “informal adjustment” option, giving intake officers discretion to divert nonviolent felonies committed by minors. The law broadens the guidelines for “informal adjustment” to include not only misdemeanors but also felonies, and to permit informal adjustment without informing the victim, given reasonable efforts to contact them. ([SB 691](#))
- **Oklahoma** provided that a dismissed youthful offender arrest or adjudication record “does not have to be disclosed” for purposes of employment, civil rights, licensing, or “any other public purpose.” The new law provides for petition-based expungement of dismissed juvenile records. It removes a three-year waiting period for petition-based expungement of youthful offender charges. The new law also removes the language “without court judgment of guilt,” making expungement available for youthful offenders who have pled guilty. ([SB 217](#))

G. Reduction of record-clearing waiting periods

Three states reduced or eliminated waiting periods for clearing criminal records. See also [Waiting for Relief](#), a national survey of waiting periods for record clearing, published in early 2022 by CCRC.

- **Colorado** reduced the waiting period to seal a Level 4 drug possession felony from three years to two years. The new law applies only to offenses committed on or after July 1, 2022. ([HB 22-1326](#))
- **Indiana** eliminated the one-year waiting period for non-conviction records, except for juvenile adjudications when the prosecutor does not consent. Courts must expunge non-conviction records upon disposition, without a petition. ([SB 182](#))

- **South Dakota** allowed a person to expunge a non-conviction record before the one-year waiting period “upon a showing of compelling necessity” ([SB 83](#))

H. Fines and fees as a barrier to record clearance

One state eliminated restitution as a barrier to record clearance, while three other states suspended or eliminated entirely fees associated with the petition process. See also [The High Cost of a Fresh Start](#), a 50-state survey of court debt as a barrier to record clearing, published in early 2022 by CCRC in collaboration with the National Consumer Law Center.

- **California** removed a court’s discretion to deny a petition to clear a criminal record because of unpaid victim restitution or unpaid fines. ([SB 1106](#))
- **Utah** suspended fees for certificates of eligibility and expungement petitions for one year. This reprieve is set to expire June 30, 2023. ([HB 392](#))
- **Virginia** provided that an indigent petitioner for a writ of vacatur based on the person’s status as a victim of human trafficking shall not be required to pay any fees or costs to file their petition. ([HB 711](#))
- **Vermont** removed the filing fee for record sealing of offenses committed before age 25. ([HB 729](#))

I. Miscellaneous

A final set of record-clearing and set-aside measures expanded eligibility, improved procedures, and enhanced effect in a variety of more specific ways. One measure that is included in this section is California Governor Newsom’s veto of a bill that would have facilitated background screening via restoring date-of-birth and driver’s license information to court record systems.

- **California** facilitated access to a certificate of rehabilitation for individuals convicted of offenses eligible for vacatur or dismissal, repealing a requirement that they first obtain this relief before being eligible to seek a certificate, and also repealing a requirement that the person not have been incarcerated since the dismissal. This law excludes offenses requiring registration as a sex offender. ([AB1924](#))
- **California’s** governor vetoed legislation that would have facilitated background screening in court record systems by requiring the clerk of each superior court to keep publicly accessible electronic indexes of defendants in criminal cases that may be searched and filtered based on a defendant’s driver’s license number or date of birth, or both. Had it passed, the legislation would have superseded a court rule and obviated a recent appellate court decision, *All of Us or None – Riverside Chapter v. Hamrick*, 64 Cal. App. 5th 751 (Cal. App. 4 Dist., 2021). ([SB 1262](#))

- **Illinois** provided for mandatory expungement upon successful completion of specialty court programs. ([SB 2565](#))
- **Kansas** provided a petition-based relief process from a registration requirement for people convicted of drug offenses and for expungement of their offenses. ([SB 366](#))
- **Louisiana** prohibited police agencies from disseminating booking photos, with certain exceptions. ([HB 729](#))
- **New Jersey** expanded offenses eligible for expungement upon completion of drug court. ([A 4771](#))
- **North Carolina** suspended a provision authorizing automatic expungement of non-conviction records until August 1, 2023, appointing a group to determine whether a disposition short of “total destruction of all court files” is more appropriate. ([SB 607](#))
- **Oklahoma** added no more than two felony charges dismissed after deferred adjudication to the list of expungement-eligible offenses. ([HB 3024](#))
- **Tennessee** expanded eligibility for first-offender expungement by providing that a prior conviction may be disqualifying only if it is an offense ineligible for expungement. ([HB 1679](#)).

2. Executive Pardon

In three jurisdictions, executives issued mass pardons for convictions of simple possession of marijuana. On October 6, 2022, President Biden issued a full and unconditional pardon to all U.S. citizens and lawful permanent residents who committed the offense of simple possession of marijuana on or before October 6, 2022, in violation of **federal** law or in violation of the **District of Columbia** Code. The following month, **Oregon** Governor Kate Brown announced a pardon of more than 45,000 people convicted of simple possession of marijuana. Brown also forgave more than \$14 million in fines and fees still owed by the pardoned individuals.

In three states, governors continued to showcase their revived use of the executive pardon. In **Missouri**, Governor Mike Parson has issued 360 pardons and 18 commutations between December 2020 and October 2022, making him the most prolific pardoner in the state in more than 40 years. Outgoing **Oregon** Governor Kate Brown has pardoned 43 people and commuted the sentences of more than 1,000 others since the Covid-19 pandemic began in March 2020. In addition, in December 2022, Brown commuted the sentences of all 17 people on Oregon’s death row to life without parole. During his four-year term ending in January 2022, former **Virginia** Governor Ralph Northam issued more than 1,200 simple pardons, far outpacing his predecessors, and restored the civil rights of more than 126,000 individuals.

3. Diversiónary Dispositions

Two states improved access to specialty court programs that provide for diversion. **Kansas** established a centralized system of specialty courts under rules promulgated by the state Supreme Court, including but not limited to drug and alcohol addiction and mental illness, with the possibility of expungement upon successful completion of the program ([HB 2361](#)). **Illinois** reduced the waiting period for drug court admission from 10 years to 5 years after a violent conviction, and removed disqualification for individuals who have previously participated in drug court ([SB 2565](#)).

RESTORATION OF VOTING & OTHER CIVIL RIGHTS

In our [national survey](#) of restoration laws published in March 2022, we reported an “accelerating trend” toward making more convicted individuals eligible to vote:

During the six-year period between 2015 and 2021, 22 states and the District of Columbia enacted no fewer than 37 laws limiting disenfranchisement or encouraging the newly enfranchised to vote, with additional executive orders and ballot initiatives. More than half of these new laws were enacted after January 1, 2019 . . .

Last year, four states enacted laws restoring the right to vote upon release from prison, another took executive action to do so, and three more states and the federal government took steps to clarify and expand awareness of voting eligibility among those in custody or after release. **This year only one state addressed restoration of voting rights**, which may not be surprising in an election year when access to the ballot was the subject of contentious partisan debate: **Arizona** passed a law requiring its courts to advise people being sentenced about loss and restoration of civil rights, including firearms rights, shortening the waiting period for those with more than one conviction, and extending petition-based relief for the first time to those with out-of-state convictions.

- **Arizona:** Enacted a law requiring the sentencing court to advise individuals about how they may regain their civil rights, including firearms rights. Court must inform those with a single felony conviction that their civil rights are automatically restored upon completion of sentence and payment of restitution, including firearms rights unless the person has been convicted of a “serious” or “dangerous” offense. The sentencing court must inform those with more than one conviction that they may regain civil rights upon completion of sentence and payment of restitution (omitting two-year waiting period under existing law), and the court in its discretion may restore some or all rights (firearms restoration on same basis as to persons with a single felony). For the first time, those with out-of-state convictions may regain their rights on the same basis as in-state and federal offenders. ([HB 2119](#))

OTHER RELIEF MEASURES

1. Ban-the-Box in Higher Education:

Delaware enacted a law prohibiting higher education institutions from inquiring into an applicant's criminal conviction history, with limited exceptions for inquiries into certain types of offenses such as stalking and sexual assault. If the institution elects to deny an applicant because of a conviction for such an offense, it must disclose that fact to the applicant. After an applicant has been admitted, an institution may inquire into the applicant's criminal conviction history for the limited purposes of offering counseling and making decisions concerning the applicant's participation in campus life. In addition, the Act requires the Department of Education to compile and complete an annual report on admissions from each academic institution, including the race and gender of the applicants and of the accepted students. ([SB13](#)).

2. Housing Vouchers

The **District of Columbia** amended its Housing Voucher program to prohibit the administrator from asking about or considering in connection with eligibility or continued occupancy any information about citizenship, immigration status, prior criminal arrests or convictions, or pending criminal matters. ([B-24-0907](#)).

3. Prison and Jail Reentry

California enacted a law requiring a person on parole, absent evidence of a threat to public safety, to be returned to the county of last legal residence, or to the location of an educational or vocational training program, or to the county where the person has a verified offer to work, or where family resides. ([SB 990](#)).

4. Sex Offense & Other Registration

South Carolina created a three-tiered categorization of sex offenses with the possibility of removal from the registry based on no new convictions for sex offenses, completion of rehabilitation, and a history of consistent registration ([HB 4075](#)). A **Michigan** law allows a person who has been placed on a child protective registry to become re-eligible to be a childcare provider if the person's placement on the registry has been expunged ([HB 5534](#)). **Kansas** provided a petition-based process for relief from a registration requirement for people convicted of drug offenses, five years after completion of their sentence ([SB 366](#)).

5. Juvenile Delinquency Jurisdiction

Maryland removed state authority over delinquency of children under age 13 and provided that they may not be charged with a crime ([SB 691](#)).

CONCLUSION

Conclusion and A Note on the Restoration of Rights Project

The laws that are collected and described in this report, like those in our earlier annual reports on new legislation, were incorporated in real time into the state-by-state profiles and 50-state comparison charts of the [Restoration of Rights Project](#) (RRP). In turn, the research reflected in the RRP provides the raw material for various reports on restoration laws that CCRC publishes each year. These reports, like the RRP itself, make it possible to see national patterns and emerging trends in formal efforts to mitigate the adverse effect of a criminal record.

CCRC's reports using data from the RRP are posted on its website. The five reports published in 2022 are listed and linked below:

[Marijuana Legalization and Record Clearing in 2022](#) (November 2022) (with the Drug Enforcement and Policy Center at The Ohio State University)

[The Many Roads from Reentry to Reintegration: A National Survey of Laws Restoring Rights and Opportunities after Arrest or Conviction](#) (March 2022)

[The Reintegration Report Card: Grading the States on Laws Restoring Rights and Opportunities After Arrest or Conviction](#) (March 2022)

[Waiting for Relief: A National Survey of Waiting Periods for Record Clearing](#) (February 2022)

[The High Cost of a Fresh Start: A State-by-State Analysis of Court Debt as a Bar to Record Clearing](#) (February 2022) (with the National Consumer Law Center)

APPENDIX: NEW LAWS BY STATE

Note: Summaries of each new law, with links to the bill text, begin on the next page.

= Legislation

BI = Ballot Initiative

Exec. = Executive Order or Executive Action*

Alabama (0)	Louisiana (4)	Oregon (0, 2 Exec.)
Alaska (0)	Maine (1)	Pennsylvania (0)
Arizona (2)	Maryland (2, 1 BI)	Rhode Island (1)
Arkansas (0)	Massachusetts (1)	South Carolina (1)
California (12, 1 Exec.)	Michigan (1)	South Dakota (1)
Colorado (4)	Minnesota (1)	Tennessee (3)
Connecticut (1)	Mississippi (0)	Texas (0)
Delaware (3)	Missouri (1 BI, 1 Exec.)	Utah (3)
District of Columbia (1)	Montana (0)	Vermont (1)
Federal (0, 2 Exec.)	Nebraska (0)	Virginia (3, 1 Exec.)
Florida (3)	Nevada (0)	Washington (1)
Georgia (0)	New Hampshire (1)	West Virginia (0)
Hawaii (0)	New Jersey (2)	Wisconsin (0, 1 Exec.)
Idaho (3)	New Mexico (0)	Wyoming (1)
Illinois (5)	New York (0)	
Indiana (1)	North Carolina (1)	
Iowa (0)	North Dakota (0)	
Kansas (2)	Ohio (1)	
Kentucky (0)	Oklahoma (4)	
		TOTAL (71; 2 BI, 8 EA)

- Use of the pardon power as an Executive Action is included in this chart only if it was unusual and extensive, or if it was tantamount to legislative action (as in several class-wide marijuana pardon grants). One significant gubernatorial veto is also included ([CA SB 1262](#)), which blocked efforts to facilitate searching of court files by background screeners.

State	Issue	Bill	Summary
AZ	Restoration of Civil Rights	HB 2119	Requires the sentencing court to advise individuals about how they may regain their civil rights, including firearms rights. Court must inform those with a single felony conviction that their civil rights are automatically restored upon completion of sentence and payment of restitution, including firearms rights unless the person has been convicted of a “serious” or “dangerous” offense. The sentencing court must inform those with more than one felony conviction that they may regain civil rights upon completion of sentence and payment of restitution (omitting two-year waiting period under existing law), and the court in its discretion may restore some or all rights (firearms restoration on same basis as to persons with a single felony). For the first time, those with out-of-state convictions may regain their civil and firearms rights on the same basis as in-state and federal offenders.
AZ	Occupational Licensing	HB 2612	Removes “good moral character” and similar language from several business and professional licensing schemes, including livestock slaughtering, liquor licenses, horseracing and other wagering enterprises, acquisition of banks and trusts, mortgage origination, contractors, health care facility operators and certain health care professionals, and school bus operators.
CA	Driver’s Licenses	SB 1055	Prohibits the Department of Child Support Services from seeking the denial, withholding, or suspension of a driver’s license from low-income child support obligors, softening the state’s harsh punitive measures in place for child support arrears.
CA	Post-Release Supervision (economic opportunity)	SB 990	Existing law generally requires that a person released on parole or post-release community supervision be returned to the county of last legal residence. This law requires the person, absent evidence that the parole transfer would present a threat to public safety, to be released in the county in the location of a verified existence of a postsecondary educational or vocational training program of the person’s choice, or of a verified existence of a work offer, the person’s family, outpatient treatment, or housing. The law also requires a person on parole, absent evidence of a threat to public safety, to be granted a permit to travel outside or transfer residency from the county of commitment to a location where the person has postsecondary educational or vocational training program opportunities, an employment opportunity, or inpatient or outpatient treatment. Takes effect on January 1, 2024.

State	Issue	Bill	Summary
CA	Record clearing	AB 1924	Eliminates the requirement that a person eligible to have charges dismissed or conviction set aside (other than a person convicted of a sex offense) first obtain this relief before petitioning for a certificate of rehabilitation and pardon and have no period of incarceration subsequent to the dismissal. Persons convicted of a sex offense remain subject to these eligibility requirements.
CA	Record clearing	SB 1106	Prohibits restitution (including “restitution fines”) from barring record clearing. This law does not waive or reduce the debt.
CA	Record clearing	SB 731	Expands automatic arrest record relief to include felonies punishable by a term in state prison, not just those punishable in county jail. Expands automatic conviction record relief to include felonies where all terms of probation have been completed, even if revocation, provided that there have been no new felony convictions within 4 years. Specifies that this does not release defendant from unexpired criminal protective orders. This relief does not prohibit looking into records for purposes of education licensing; the new protection in that area is only for specific controlled substances convictions with a 5-year waiting period after relief has been granted. In education credentialing, prevents consideration of record for possession of specified controlled substances that is more than five years old and for which relief was granted. Expands petition-based withdrawal of guilty plea to include all felony convictions except for sex offender registration crimes. Takes effect on July 1, 2023.
CA	Occupational Licensing	AB 1720	Broadens existing simplified criminal record exemption process for licensing to work in community care facilities to include applicants possessing multiple convictions for a single incident. Removes requirement to sign a document regarding criminal record under penalty of perjury. Removes requirement for State DSS website to post aggregate data regarding applicant background check process. Prohibits State DSS from requiring self-disclosure of criminal history information.
CA	Record clearing	AB 1706	Effectuates marijuana relief measures passed in 2016 and 2018. Directs courts to reduce and redesignate sentences; expunge previously sealed marijuana records and verification of updates to criminal history; and to waive fees for updating records. Requires DOJ/Judicial Council to make monthly progress reports on accomplishing these measures.

State	Issue	Bill	Summary
CA	Record clearing	SB 257	Repeals Penal Code sections related to loitering with the intent to commit prostitution and authorizes a person convicted under the repealed section to petition the trial court for a recall or dismissal of sentence. Upon receiving a petition, the court shall presume the petitioner satisfies the criteria for recall and dismissal of sentence unless the party opposing the petition proves by clear and convincing evidence that the petitioner does not satisfy the criteria. If the petitioner satisfies the criteria, the court shall grant the petition and dismiss the sentence as legally invalid.
CA	Record clearing	AB 2169	Clarifies that vacatur relief for offenses committed while the petitioner was a victim of human trafficking, intimate partner violence, or sexual violence demonstrates that the petitioner lacked the requisite intent to commit the offense, and that the conviction is invalid due to legal defect.
CA	Small Business support	AB 152	Extends COVID-related sick leave benefits to employees of small businesses with between 26 and 49 employees, excluding only business owners of at least 10% of the business who have been convicted or been placed on probation in the last three years for certain specified crimes, including financial and other fraud offenses, theft, forgery, false statements, or receiving stolen property, or who have charges involving these offenses pending against them.
CA	Multiple – background checking, fair employment, housing	SB 1262 (veto)	Governor vetoed legislation that would have facilitated background screening by requiring the clerk of each superior court to keep publicly accessible electronic indexes of defendants in criminal cases that may be searched and filtered based on a defendant's driver's license number or date of birth, or both. Had it passed, the legislation would have superseded a court rule and obviated a recent appellate court decision, <i>All of Us or None - Riverside Chapter v. Hamrick</i> , 64 Cal. App. 5th 751 (Cal. App. 4 Dist., 2021).

State	Issue	Bill	Summary
CO	Record clearing	SB 099	Clean Slate Act expands automatic sealing from only certain drug offenses to all offenses currently eligible for petition-based sealing, including records involved in diversion agreements and records associated with status as victim of human trafficking, excluding violent crimes . Provides for a four-year waiting period for civil infractions, a seven-year waiting period for petty misdemeanors, and a 10-year waiting period for eligible felonies. Payment of outstanding fees or fines is not a condition for automatic sealing. Allows district attorney 45 days to object to the sealing of a non-drug related eligible felony conviction based on “reasonable belief” that “public interest and public safety” requires continued public access to record, and defendant will be subsequently informed of their right to a hearing on this objection. Requires consumer reporting agencies to exclude sealed or expunged records from their reports. Requires the state court administrator to report annually to the House Judiciary Committee on statistics of sealed/objected records. Provides for the defendant and the criminal justice agency to reply, upon inquiry into the sealed record, that a public criminal record does not exist. Allows for the immediate automatic sealing of certain non-conviction records. Provides for petition-based sealing of municipal conviction records. Sealing of multiple convictions, with the highest offense being a civil offense, a petty offense, or a petty drug offense, requires a 2-year waiting period and payment of outstanding fines/fees.
CO	Occupational Licensing	HB 1098	Requires agencies to send information to applicant before making final determination, detailing grounds for denial based on their record and informing them of their right to provide additional evidence relevant to disqualifying factors. Requires the agency, upon final determination of disqualification, to inform the applicant of their right to appeal an adverse decision, and of the earliest date of reapplication. Requires the director of the Division of Professions and Occupations to conduct an audit of all licensing agencies to identify barriers to licensure and to produce a report for House and Senate committees on the currently existing barriers to licensure based on records, legislative recommendations, statistics on denial of licenses based on records and grounds for denial.
CO	Record clearing	HB 1326	Reduces the waiting period to seal a Level 4 drug possession felony from three years to two years. Applies only to offenses committed on or after July 1, 2022.
CO	Employment /Occupational licensing	HB 1383	Employment opportunities for juveniles: Prohibits public or private employers from asking about juvenile records; adds juvenile records to those that may not be considered by licensing agencies in determining whether to grant licensure.

State	Issue	Bill	Summary
CT	Occupational Licensing	HB 5248	Provides for exceptions to felony disqualification for occupational licensure for dozens of occupations subject to the jurisdiction of the Department of Public Health, including social workers, dieticians, funeral directors, aestheticians, hairdressers, etc. Requires felony conviction to be "reasonably related" to job for disqualification for occupational license. Provides for binding preliminary determination so long as the information provided at the preliminary stage is the same as presented in the determination request.
DC	Housing	B-24-0907	Housing Voucher program amended to prohibit the administrator from asking about or considering in connection with eligibility or continued occupancy any information about citizenship, immigration status, prior criminal arrests or convictions, or pending criminal matters.
DE	Education	SB 13	Prohibits higher education institutions from inquiring into an applicant's criminal conviction history, with limited exceptions for inquiries into certain types of offenses such as stalking and sexual assault. If the institution elects to deny an applicant because of a conviction for such an offense, it must disclose that fact to the applicant. After an applicant has been admitted, an institution may inquire into the applicant's criminal conviction history for the limited purposes of offering counseling and making decisions concerning the applicant's participation in campus life. In addition, the Act requires the Department of Education to compile and complete an annual report on admissions from each academic institution, including the race and gender of the applicants and of the accepted students.
DE	Record clearing	HB 447	Expands the category of dismissed cases eligible for mandatory expungement to include any charge that lacks a disposition after 7 years, unless the case has an active warrant or there is documented case activity within the last 12 months.
DE	Occupational Licensing	HB 404	Enacted the "Fair Chance Licensing Act," establishing a binding preliminary application process, providing that many records may not be grounds for denial (convictions over 10 years old with no intervening convictions; pardoned, sealed, or expunged convictions; non-conviction records; and juvenile adjudications). Even "substantially related" crimes must be considered for waiver via a board vote, removing requirement for a clean record, removes requirement for not endangering "public health, safety, or welfare."

State	Issue	Bill	Summary
FED	Executive Clemency	Proclamation	On October 6, 2022, President Biden issued a full and unconditional pardon to all U.S. citizens and lawful permanent residents who committed the offense of simple possession of marijuana on or before October 6, 2022, in violation of federal law or in violation of the D.C. Code. People who were not U.S. citizens or lawful permanent residents at the time of their offense were not pardoned.
FED	Executive Agency	Rule	The U.S. Small Business Administration (SBA) has promulgated a rule governing certification for participation in its Veteran-Owned Small Business Development program. The rule eliminates ineligibility where a business owner is incarcerated or on parole or probation. In addition, the rule omits the requirement that a business owner have "good character," with the result that only an applicant's current debarment or suspension from federal contract eligibility, or intentional false statements in an application, may be grounds for denial of a contract.
FL	Record clearing	HB 195	Expands juvenile expunction laws to cover juveniles who complete a diversion program for felonies — except for forcible felonies or firearm-related felonies — and arrests beyond a minor's first offense. Forcible felonies include murder, rape and kidnapping, among others. Under current law, expungement opportunities are limited to minors who complete a diversion program solely after a first-time misdemeanor arrest. Last year, a bill extending this provision to "any offense" was vetoed - this year's bill is the same except that it exempts "forcible felonies" and felonies involving a "firearm or weapon."
FL	Record clearing	HB 197	Provides for juvenile nonjudicial record expungement upon diversion program completion; provides for retroactive application; states public necessity; requires that sealed or expunged juvenile nonjudicial records be kept confidential and exempt from existing public records requirements.
FL	Occupational Licensing	.SB 282	To relax background screening requirements for certification as a peer specialist providing recovery services for drug addiction and mental health. Allows for up to one year of professionally supervised work while in the process of becoming certified as a peer specialist. Disqualifies for felony conviction if release from supervision is within the past three years notwithstanding monetary conditions, and for various violent, sexual, and medical-related convictions. Allows for request for exemption from disqualification.
ID	Occupational Licensing	S 1368	Removes "moral" from "good moral character" in the definitions section of overall law and in many specific licensing provisions. Defines "good character" by records that have been assessed according to "currently relevant" standards.

State	Issue	Bill	Summary
ID	Driver's Licenses	HB 526	Provides for petition-based reinstatement of commercial driver's license after 10-year waiting period, given: no alcohol- or drug-related convictions, convictions occurring in a vehicle, or felony convictions involving a motor vehicle in the past 10 years; and no convictions involving withdrawal of driving privileges in past three years. Other requirements: applicant must have been valid Idaho license holder for at least three consecutive years beforehand, must have completed four-hour safety course, a rehabilitation program if disqualification was based on alcohol- or drug-related conviction. No a second reinstatement of license upon subsequent conviction of a "disqualifying major offense." If disqualification originated from another jurisdiction, that jurisdiction "must be willing" to reinstate license.
ID	Diversions	HB 453	Facilitating access to diversion for juveniles. Removes precondition of "if court action is not required" to begin diversion process, adds the use of a validated screening tool to determine eligibility for diversion, and eliminates the fee charged to juvenile for community service work. Limits "informal adjustment" period to three years.
IL	Occupational Licensing	HB 5167	Passed a law regulating consideration of criminal record for certain real estate-related licenses. The new law prohibits consideration of sealed or expunged convictions, arrests not followed by a conviction, juvenile adjudication records, arrest records with dismissed charges, or convictions overturned by a higher court. It requires an applicant to notify the board of financial crimes or administrative sanctions. The new law also removes a criminal background check from registration requirements for an appraisal management license and narrows the types of criminal records required to be disclosed in the application for a real estate brokerage license to financial crimes or administrative sanctions.
IL	Occupational Licensing	HB 5575	Establishes a task force to examine barriers to licensure and create reports on denial of licensure including most common reasons for denial. Task force must include a member who has experienced barriers to licensure specifically due to incarceration and a member who is from a nonprofit organization related to reentry.
IL	Occupational Licensing	HB 5576	The Regulatory Sunset Act creates accountability for licensing boards to prevent any regulation that adversely affects "equitable access to quality jobs and opportunities," analyzing whether a licensing board restricts access to a profession more than is necessary to protect the "public health, safety, or welfare from significant and discernible harm or damage."

State	Issue	Bill	Summary
IL	Multiple - diversion/ sealing	SB 2565	Reduces waiting period for admission to drug court after a violent crime conviction from 10 years to five years, excluding time spent in incarceration, parole, and mandatory supervised release. Removes disqualification for admission to drug court based on previous completion, discharge, or termination from a drug court program. Upon successful completion of a drug court program, veterans and servicemembers court treatment program, or mental health court treatment program, any state's attorney, participant, or defense attorney may move to vacate sealing-eligible convictions, and a participant may immediately move to expunge vacated convictions. A state's attorney who has moved to vacate a conviction may not object to its expungement.
IL	Record clearing	HB 4392	Eliminates a positive test for the presence of cannabis as a disqualifier from sealing or expungement, for the drug test that is required within 30 days before filing the petition.
IN	Record clearing	SB 182	Eliminates the one-year waiting period for expungement of non-conviction records, and makes this relief automatic, subject to certain exceptions, if: (1) all pending charges or allegations against a person are dismissed; (2) the person is acquitted or the conviction or true finding is vacated; (3) one year has passed since allegations were filed against a juvenile and the state is not pursuing the case; or (4) the person is arrested for a crime and no charges have been filed within 180 days. Specifies that an arrest, criminal charge, or juvenile delinquency allegation that results in an adjudication for an infraction does not result in a conviction for purposes of expungement. Authorizes a person participating in a pretrial diversion program to file a petition for expungement with the authorization of the prosecuting attorney.
KS	Record clearing	SB 366	Provides release from registration and expungement after five years for drug offenders, convicted in and out of state.
KS	Record clearing	HB 2361	Establishes new specialty court programs and provides for expungement of eligible records upon completion of program.
LA	Occupational Licensing	HB 639	Strengthened its occupational licensing law by establishing binding preliminary determination, providing the right to appeal, submitting additional information, and reapply. Boards must publish criminal record requirements on their websites. Extends prohibition on denying licensure based solely on conviction to a variety of additional licenses, limiting exclusion to lottery, boxing, gaming, and racing. Provides new factors to be considered for determination of "direct relationship."

State	Issue	Bill	Summary
LA	Record clearing	SB 148	Provides for petition-based expungement and sealing of certain offenses related to an individual's involvement as a victim of human trafficking. Establishes “preponderance of evidence” standard for judging relation of offense to human trafficking involvement, and “presumption” standard for cases involving government or agency documentation, though documentation is not necessary for set-aside motion to be granted. Record-clearing is free of charge and requires copies of all records related to the offense to be given to the individual free of charge. Broadens language relating to the definitions of human trafficking and related crimes.
LA	Record clearing	HB 729	Prohibits police agencies from disseminating booking photos, with certain exceptions.
LA	Record clearing	HB162	Eliminates expungement fees for a person who has been pardoned or found innocent.
MA	Record clearing	S 3096	Cannabis reform including expungement: For individuals seeking to expunge a record for previous offenses that are now decriminalized, this legislation requires the court to order the expungement of the record within 30 days of the request and expunge records for possession of marijuana or distribution of marijuana based on the now legal amount.
MD	Record clearing	HB 837	Statute enacted contingent on adoption of a ballot initiative approved in November 2022 that legalized the use and possession of 1.5 ounces of cannabis by a person who is at least 21 years old. The law shortened waiting periods for petition-based expungement of misdemeanor and felony marijuana convictions in existing law: provides that a person may petition for expungement of a misdemeanor possession conviction for "personal use" amount of up to 1.5 ounces upon completion of sentence and of possession of “civil use” amounts (misdemeanor or felony) of up to 2.5 ounces three years after completion of sentence. Also, a new § 10-112 directed the Department of Public Safety to automatically expunge conviction records in the central repository for convictions for cannabis possession that are no longer criminal obtained prior to July 1, 2023, where the cannabis charges are the only charges in the case (court records may be expunged only pursuant to the petition process described above).

State	Issue	Bill	Summary
MD	Juvenile delinquency jurisdiction	SB 691	Removes state authority over delinquency of children under age 13 and provides they may not be charged with a crime. Adds an option for "informal adjustment" by discretion of intake officer to divert nonviolent felonies committed by minors, broadens guidelines for "informal adjustment" to include not only misdemeanors and to permit informal adjustment without informing the victim given reasonable effort to contact them. Provides for a new risk scoring instrument to determine child's release before trial. A misdemeanor committed by a child cannot result in detention except for those involving firearms or repeat offenses within a year. Provides for smaller windows of time between detention and court hearing, or detention and department making plans for release. Provides a probation requirement, rather than detention, for misdemeanor committed by a child, and provides a 2-year cap on the probation period. Prohibits detention for a technical violation. Requires the Governor's office to release information about juvenile justice practices and establish a Juvenile Justice Reform Commission.
MD	Marijuana legalization	HB 1 / Question 4	Ballot initiative to amend the state constitution asked: "Do you favor the legalization of the use of cannabis by an individual who is at least 21 years of age on or after July 1, 2023, in the State of Maryland?"
ME	Record clearing	LD 1310	Provides for sealing of Class E offenses committed between ages 18-28 with a 4-year waiting period. This is the state's only sealing authority applicable to adult convictions, since an earlier law allowing sealing for crimes committed between the ages of 18 and 21 expired in 2019. Provides a list of entities that will still have access to the sealed criminal record, including financial institutions where required by law to conduct a criminal background check. A narrower version of a failed bill from 2021 that would have provided for sealing of more crimes, with no age requirement or waiting period.
MI	Registration /licensing	HB 5534	Allows a person who has been placed on a child protective registry to become re-eligible to be a childcare provider if the person's placement on the registry has been expunged.
MN	Occupational Licensing	HF 3255	Establishes binding preliminary application process. State agencies must issue a written decision within 60 days of receiving a completed preliminary application. If an applicant is deemed ineligible, written decision must state all reasons application would be denied and inform applicant of any action the applicant could take to qualify. Requires data on preliminary applications and criminal record disqualifications to be reported to legislative committees with jurisdiction over employment. Provisions do not apply to department of health, other health-related professions, department of education, or department of human services.

State	Issue	Bill	Summary
MO	Record clearing	Amendment 3	The ballot initiative removes from the state constitution bans on marijuana sales, consumption, and manufacturing for adults over the age of 21 and provides for expungement of many marijuana records.
MO	Pardon	Executive Action	In December 2020, shortly after his reelection, Governor Mike Parson began a regular practice of pardoning, responding to an increase in applications and calls in the press for greater use of the power. Between December 2020 and the end of October 2022, he issued 360 pardons and 18 commutations and denied nearly 1,440 applications. He made issuing pardons a regular monthly occurrence, and he is by far the most prolific pardoner in the state in more than 40 years.
NC	Record Clearing	HB 607	Suspends the provision authorizing automatic expungement of non-conviction records until August 1, 2023, appoints a group to determine whether a disposition short of “total destruction of all court files” is more appropriate.
NH	Occupational Licensing	HB 1659	Establishes an opportunity for applicants for employment in a residential care facility to work temporarily for up to 90 days pending their criminal background check results, so long as they have passed a record check as part of a nursing assistant program within the past year and have provided written attestation that no disqualifying criminal record exists.
NJ	Record clearing	A 4771	Expands offenses eligible for expungement upon successful discharge from drug court.
NJ	Record clearing	A 5322	Expands authority to seal records of victims of human trafficking to all but serious violent offenses. Allows for a person to make virtual courtroom appearances for the petition process. Allows for the victim of an offense to be notified of the sealing request in some cases.
OH	Record clearing	SB 215	Authorizes expungement of concealed handgun violations now legalized, upon petition.
OK	Occupational Licensing	SB 1691	Expands “substantial relationship” standard with specific factors, and prohibits consideration of certain records (non-convictions, sealed/pardoned/expunged convictions, and certain non-violent convictions after five years without new conviction. Prohibits vague “moral character” criteria. Requires written notice to applicant before determination and an opportunity to appeal and reapply. Requires publication of data on certifications granted and denied due to criminal history, published information on each licensing authority's website about whether criminal history can be used in determinations, and a right to request a determination of potential disqualification before pursuing education needed for licensing. Allows disqualification only if conviction poses a “reasonable threat to public safety, health, or welfare.”

State	Issue	Bill	Summary
OK	Record clearing	HB 3316	Clean Slate Act provides for automatic expungement of non-conviction and misdemeanor records already eligible for petition-based expungement, but not felonies or deferrals, and specifies procedures that include 45-day review by prosecutor's office and requirement that court debt be paid to qualify for relief.
OK	Record clearing	HB 3024	Makes eligible for expungement by petition no more than two felony charges for which charges were dismissed after deferred adjudication, with exceptions for certain violent and sexual crimes, and with a 10-year waiting period.
OK	Record clearing	SB 217	Provides that a dismissed youthful offender arrest/adjudication record “does not have to be disclosed” for purposes of employment, civil rights, licensing, or “any other public purpose.” Provides for petition-based expungement of dismissed juvenile records. Removes 3-year waiting period for petition-based expungement of youthful offender charges. Removes language “without court judgment of guilt,” making expungement available for youthful offenders who have pled guilty.
OR	Clemency/ Pardon	Executive Action	Outgoing Governor Kate Brown pardoned 43 people and commuted the sentences of more than 1,000 others since the Covid-19 pandemic began in March 2020. A lawsuit challenged the early release of 73 individuals who committed serious felonies as juveniles but in August 2022, the Oregon Court of Appeals upheld Brown’s commutations. On December 14, Brown commuted the sentences of all 17 people on Oregon’s death row to life imprisonment without the possibility of parole.
OR	Pardon/ sealing	Executive Action	On November 20, 2022, Gov. Kate Brown announced a pardon of 47,144 people convicted of simple possession of one ounce or less of marijuana prior to legalization in 2016. In addition, she forgave more than \$14 million in fines and fees still owed by these pardoned individuals.
RI	Record Clearing	S 2430	The Rhode Island Cannabis Act legalizes adult use of cannabis and provides for automatic expungement of convictions for decriminalized conduct no later than July 2024. Waives expungement costs for anyone who has been incarcerated due to a marijuana conviction, and eliminates disqualification based on previous convictions, additional convictions in other counts in the same case, pending criminal proceedings, and outstanding court costs and fees. Allows an individual to deny their conviction when asked, with a few occupational exceptions (law enforcement, bar admission, teaching, coaching, and early childhood education). Provides that people with marijuana convictions may be licensed under new cannabis control legislation.

State	Issue	Bill	Summary
SC	Registration	H.4075	Creates 3 tiered categories of sexual offenses, with Tier III being the most severe offenses. Requires a juvenile (14+) adjudicated delinquent of a Tier III offense to register on the sex offender registry and provides for discretion of the family court in requiring registration for juveniles adjudicated delinquent for Tier I or II offenses. Allows for discretionary registration for a 12–14-year-old adjudicated delinquent for a Tier III offense. Removes registration requirement for juvenile delinquents under 12 years old. Provides for SLED-based removal from the sex offender registry for Tier I or II offenses after 25 years of adult registration for a Tier II offense, or after 15 years of adult registration for a Tier I offense or for any adjudication of delinquency. Qualifications for SLED-based removal from registry: no subsequent sexual offense convictions, completion of any required treatment programs, no failure-to-register convictions in past 10 years. Provides that a filing fee of up to \$250 may be charged. Requires action by SLED within 120 days of initial receipt of application. Allows for court petition-based removal from the registry for Tier I or II offenses, or for Tier III offenses after 30 years from release. Provides a 5-year waiting period for reapplication for court or SLED-based removal from registry. A juvenile convicted in family court who has had their conviction expunged, sealed or pardoned must be removed from the registry.
SD	Record clearing	SB 83	Allows a person to apply for expungement of a non-conviction record before the one-year waiting period “upon a showing of compelling necessity.”
TN	Record clearing	SB 2303	Removes a conviction for prostitution as a requirement for expunction of multiple, nonviolent convictions relating to a person’s status as a victim of human trafficking.
TN	Record clearing	HB 1679	Expands eligibility for first offender expungement by removing disqualification based on number of priors.
TN	Record clearing	SB 2400	Human trafficking victims specifically exempted from the limit on expungement of non-conviction records in § 40-32-101(a)(1)(E), that a person is not entitled to expungement of non-conviction records if convicted of a similar charge or if convicted of one or more charges in a single indictment.
UT	Record clearing	HB 392	Suspends fees for certificate of eligibility and for expungement petition until June 2023.
UT	Occupational Licensing	SB 43	Removes good moral character language from six professions: funeral service director, health service administrator, veterinarian, nurse midwife, alarm company applicant and their “qualifying agent,” and online prescriber.

State	Issue	Bill	Summary
UT	Record clearing	SB 35	Expands 2019 Clean Slate Act to include qualifying dismissed charges. Expands eligibility for traffic offense expungement. Requires the Bureau of Criminal Identification to provide information about the expungement petition process. Limits the requirement to obtain a certificate of eligibility in certain cases. Prohibits a prosecutor from using an expunged record for sentencing enhancement or charging for a greater offense. Makes many other procedural changes in the expungement system, including in use of expunged records, but does not remove the requirement that court debt must be paid.
VA	Occupational Licensing	SB 409 / HB 282	If enacted in 2023, these identical laws would make a number of changes in the language governing a board's determination of "direct relationship" to limit a board's ability to reject applicants based on their criminal history. They would exclude from a licensing agency's consideration convictions that have been sealed, pardoned, expunged, dismissed, or annulled, and also non-conviction records. They would amend the factors for consideration of "direct relationship" to be more specific, for example changing "criminal activity" to "criminal convictions," and add three factors for consideration: progress towards completion of sentence, completion of treatment programs, and completion of rehabilitative programs. The new law elaborates upon "any other evidence of rehabilitation" to specifically mention testimonials from community or faith leaders, recovery specialists, etc. The law requires a board's written reasoning upon denial but does not mention an appeal or reapplication process. As noted, the provisions of the laws do not become effective unless reenacted by the 2023 Session of the General Assembly. The legislation requires, beginning July 1, 2025, the Department to include certain data related to the criminal history of applicants to each regulatory board in its biennial report.
VA	Record clearing	HB 711	Provides that a petitioner seeking a writ of vacatur based on a person's status as victims of sex trafficking shall not be required to pay any fees or costs for filing such petition if the petitioner is found to be unable to pay them.
VA	Clemency/ Pardon	Executive Action	Outgoing Governor Ralph Northam issued more than 1,200 simple pardons, far outpacing his predecessors, and restored the civil rights of more than 126,000 individuals during his four-year term.
VT	Record clearing	H. 729	Removes filing fee for petition to seal the records of a person who committed a crime before age 25. Also provides that any state or municipal employee or contractor or agent of the court who knowingly discloses information about a sealed or expunged criminal record will be fined a civil penalty of up to \$1000, and each disclosure will constitute a separate civil violation.

State	Issue	Bill	Summary
WA	Occupational Licensing	HB 1874	Reducing barriers to professional licensure for non-conviction and conviction records. Expands standards for consideration of criminal history to include nature and seriousness of offense, age at time of offense, relationship of offense to profession, and evidence of treatment. Prohibits discrimination for licensure based on sealed/pardoned/expunged/juvenile convictions.
WI	Clemency/Pardon	Executive Action	Governor Evers issued 325 pardons in the first half of 2022, bringing his 30-month total to 605 grants – more than half the total number of pardons issued in Wisconsin since 1975.
WY	Occupational Licensing	HB 39	Provides for a preliminary determination on qualification for licensure, but it is not binding on board.