**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4442**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Gilliard, Hosey, Robinson‑Simpson and Cobb‑Hunter

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Introduced in the House on January 12, 2016

Currently residing in the House Committee on **Judiciary**

Summary: Expungement of a misdemeanor offenses

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/3/2015 House Prefiled

12/3/2015 House Referred to Committee on **Judiciary**

1/12/2016 House Introduced and read first time ([House Journal‑page 66](file:///h:\HJ%20Archive\2016\01-12-16.docx))

1/12/2016 House Referred to Committee on **Judiciary** ([House Journal‑page 66](file:///h:\HJ%20Archive\2016\01-12-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4442&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/3/2015](file:///p:\pprever\2015-16\4442_20151203.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17‑22‑935 SO AS TO PROVIDE THAT ALL MISDEMEANOR OFFENSES MAY BE EXPUNGED AND TO ESTABLISH THE CIRCUMSTANCES UNDER WHICH THE EXPUNGEMENT MAY OCCUR.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 9, Chapter 22, Title 17 of the 1976 Code is amended by adding:

“Section 17‑22‑935. (A) Notwithstanding another provision of law, in addition to those offenses enumerated in Section 17‑22‑910 and as otherwise provided by law, a conviction for a misdemeanor offense may be expunged pursuant to the provisions of this article upon application to the appropriate solicitor’s office when:

(1) the person has completed his sentence, including probation and parole, and six months have elapsed since completing his sentence during which the offender was not convicted, plead guilty, or plead nolo contendere to any other offense;

(2) no charges are currently pending against the person; and

(3) the person does not have an existing or pending driver’s license suspension.

(B) The appropriate solicitor’s office receiving an application for expungement of a misdemeanor offense pursuant to this article must ensure the expungement is complete no later than ten business days from the date of application.”

SECTION 2. This act takes effect upon approval by the Governor.

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