



Rep. La Shawn K. Ford

Filed: 4/1/2021

10200HB0434ham002

LRB102 04268 RLC 24586 a

1 AMENDMENT TO HOUSE BILL 434

2 AMENDMENT NO. _____. Amend House Bill 434 on page 36,
3 line, 5, by deleting "expunged or"; and

4 on page 36, by inserting below line 8 the following:

5 "(2.1) Arrests or charges not initiated by arrest
6 resulting in acquittal or dismissal with prejudice, except
7 as excluded by subsection (a)(3)(B), that occur on or
8 after January 1, 2018 (the effective date of Public Act
9 100-282), may be expunged immediately if the petition is
10 filed with the circuit court clerk on the same day and
11 during the same hearing in which the case is disposed,
12 except records concerning the offenses of criminal sexual
13 assault, aggravated criminal sexual assault, predatory
14 criminal sexual assault of a child, criminal sexual abuse,
15 aggravated criminal sexual abuse, domestic battery, or
16 aggravated domestic battery, may not be expunged
17 immediately."; and

1 on page 40, by inserting below line 1 the following:

2 "(N) Effect of acquittals. Arrests or charges that
3 result in acquittals shall not be used as the basis for
4 penalty enhancements in subsequent criminal
5 prosecutions."