

2729

Sponsor(s): Representatives Lovick, Cairnes, Dickerson, Hurst, Campbell and Simpson

Brief Description: Changing provisions relating to vacation of records of conviction for presentencing reform act felony offenses.

HB 2729 - DIGEST

Declares that the order of dismissal shall have the effect of restoring all civil rights lost by operation of law upon conviction, and the order of dismissal shall so state.

Authorizes the court to also, in its discretion, enter an order vacating the judgment and sentence as provided in RCW 9.94A.640. Once a court vacates a record of conviction under this act, the fact that the offender has been convicted of the offense shall not be included in the offender's criminal history for purposes of determining a sentence in any subsequent conviction.

Declares that, for all purposes, including responding to questions on employment applications, an offender whose conviction has been vacated under this act may state that the offender has never been convicted of that crime.

Directs the clerk of the court in which the vacation order is entered to immediately transmit the order vacating the conviction to the Washington state patrol identification section and to the local police agency, if any, which holds criminal history information for the person who is the subject of the conviction.

Requires the Washington state patrol and any such local police agency to immediately update their records to reflect the vacation of the conviction, and transmit the order vacating the conviction to the federal bureau of investigation.