

R.S. 2A:169-11

June 12, 1969

LEGISLATIVE HISTORY OF R.S. 2A:169-11
(Expunging record of conviction as disorderly person)

COPY NO. I

We did not locate any previous bills. The bill which became law was:

L. 1968, Chapter 279 - A659

April 22 - Introduced by Moraites (and 14 others).

June 13 - Passed in Assembly.

June 24 - Passed in Senate.

September 4 - Approved, Chapter 279

Not amended during passage.

Statement (copy attached).

No hearings or reports were located.

JH/PC

CHAPTER 279 LAWS OF N. J. 1968
APPROVED 9/4/68

ASSEMBLY, No. 659

STATE OF NEW JERSEY

INTRODUCED APRIL 22, 1968

By Assemblymen MORAITES, VANDER PLAAT, VOLK, HOLLEN-
BECK, FERRARA, CRANE, DE KORTE, CAPUTO, EVERS,
SCANCARELLA, FONTANELLA, THOMAS, KASER and
RAYMOND

Referred to Committee on Judiciary

AN ACT authorizing the expunging of the record of conviction as
a disorderly person in certain cases.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. In all cases wherein a person has been adjudged a disorderly
2 person whereon sentence was suspended or a fine imposed and no
3 subsequent criminal or disorderly person conviction has been en-
4 tered against such person, it shall be lawful after the lapse of 5
5 years from the date of such conviction for the person so adjudged
6 a disorderly person to present a duly verified petition to the County
7 Court of the county in which the conviction was entered, setting
8 forth all the facts in the matter and praying for the relief provided
9 for in this act.

10 Upon reading and filing such petition the court may by order fix
11 a time, not less than 10 or more than 30 days thereafter, for the
12 hearing of the matter, a copy of which order shall be served in
13 the usual manner, within 5 days from its date, upon the county
14 prosecutor and upon the chief of police or other executive head
15 of the police department of the municipality wherein the offense
16 was committed and, if the conviction was entered in a municipal
17 court, upon the magistrate of that court. At the time so appointed
18 the court shall hear the matter and if no material objection is made
19 and no reason appears to the contrary, an order may be granted
20 directing the clerk of the court wherein such conviction was entered
21 to expunge from the records all evidence of said conviction and
22 that the person against whom such conviction was entered shall be
23 forthwith thereafter relieved from such disabilities as may have
24 existed by reason thereof.

25 For services performed under this act the same fees shall be
26 taxed as are usual for like services in other matters, which shall
27 be payable by the petitioner.

1 2. This act shall take effect immediately.

STATEMENT

This bill provides a procedure for the expunging court records as to disorderly persons convictions in certain cases after 5 years in a manner similar to that provided for expunging certain criminal records after 10 years under N. J. S. 2A :164-28.

Not Amended during passage

Assembly Bill 659

2A:169-11. Petition to expunge record of conviction; notice required; action by county court; fees. In all cases wherein a person has been adjudged a disorderly person whereon sentence was suspended or a fine imposed and no subsequent criminal or disorderly person conviction has been entered against such person, it shall be lawful after the lapse of 5 years from the date of such conviction for the person so adjudged a disorderly person to present a duly verified petition to the county court of the county in which the conviction was entered, setting forth all the facts in the matter and praying for the relief provided for in this act [section].

Upon reading and filing such petition the court may by order fix a time, not less than 10 or more than 30 days thereafter, for the hearing of the matter, a copy of which order shall be served in the usual manner, within 5 days from its date, upon the county prosecutor and upon the chief of police or other executive head of the police department of the municipality wherein the offense was committed and, if the conviction was entered in a municipal court, upon the magistrate of that court. At the time so appointed the court shall hear the matter and if no material objection is made and no reason appears to the contrary, an order may be granted directing the clerk of the court wherein such conviction was entered to expunge from the records all evidence of said conviction and that the person against whom such conviction was entered shall be forthwith thereafter relieved from such disabilities as may have existed by reason thereof.

For services performed under this act the same fees shall be taxed as are usual for like services in other matters, which shall be payable by the petitioner.

Source. L. 1968, c. 279, §1. Approved Sept. 4, 1968, effective immediately.

TITLE.

AN ACT authorizing the expunging of the record of conviction as a disorderly person in certain cases.

[Moraites, Vander Plaat, Volk, Hollenbeck, Ferrara, Crane, DeKorte, Caputo, Evers, Scancarella, Fontanella, Thomas, Kaser and Raymond]

STATEMENT.

This bill provides a procedure for the expunging court records as to disorderly persons convictions in certain cases after 5 years in a manner similar to that provided for expunging certain criminal records after 10 years under N. J. S. 2A:164-28.

CURRENT SERVICE—N. J. LEGISLATION
GANIN LAW BOOKS
224 MARKET STREET
NEWARK, N. J. 07102
(201) 624-5533