

HB261 INTRODUCED



1 HB261
2 NR64BJ8-1
3 By Representatives Tillman, England, Chestnut, Drummond,
4 Warren
5 RFD: Judiciary
6 First Read: 15-Jan-26

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4 SYNOPSIS:

5 Under existing law, following an acquittal or
6 dismissal of a felony, misdemeanor, violation, traffic
7 violation, boating violation, or municipal ordinance
8 violation, the defendant may petition the circuit court
9 in which the charges were filed to have the records
10 expunged.

11 This bill would provide that if a person is
12 acquitted of the offense or if the charge is dismissed
13 with prejudice, no billed by the grand jury, or nolle
14 prossed without conditions, and no additional charges
15 have been filed, the court, on its motion, must order
16 the records of the charge to be dismissed.

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19 A BILL
20 TO BE ENTITLED
21 AN ACT
22

23 Relating to expungement; to provide for the automatic
24 expungement of individuals following an acquittal or dismissal
25 of certain charges.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

27 Section 1. (a) A court, on its own motion and without a
28 petition, shall order the expungement of records relating to a



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charge against a person when all of the following occur:

(1) The person has been charged with a felony, misdemeanor, violation, traffic violation, boating violation, or municipal ordinance violation.

(2) Any of the following have occurred with respect to the charged offense:

a. The charge has been dismissed with prejudice.

b. The charge has been no billed by a grand jury.

c. The person has been acquitted or otherwise found not guilty of the charge.

d. The charge has been nolle prossed without conditions.

(3) The charged offense has not been refiled against the person within 14 calendar days.

(b) A person whose records are expunged pursuant to this section shall not be required to pay any fee or court costs associated with the order of expungement.

(c) A record of any criminal charges that a court orders to be expunged or that are pending expungement pursuant to this section shall be available for use by any attorney, officer of the court, or the court itself in any civil matters related to the criminal charges expunged or seeking to be expunged, regardless of the outcome of the petitioned expungement. At the conclusion of the pending civil matter, all references to the criminal charges expunged or to be expunged shall be redacted in the event the criminal charges are expunged.

Section 2. This act shall become effective on October



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57 1, 2026.