

**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

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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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29 charge against a person when all of the following occur:

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

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

35 a. The charge has been dismissed with prejudice.

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

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

39 d. The charge has been nolle prossed without  
40 conditions.

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

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

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

56 Section 2. This act shall become effective on October

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57 1, 2026.