

# CLEAN SLATE KENTUCKY



## Felony Expungement Factsheet

**A new law will make it possible for thousands of Kentuckians to clear their criminal records. Here's what you need to know:**

### What is expungement?

In Kentucky, when you are arrested, charged with a crime, or convicted of a crime, that information stays on your criminal record. Expungement is the legal process of completely removing an arrest, charge, or conviction from your record. It means that you can answer "NO" when asked on an application if you have been convicted of a crime. This can help you find a job or a place to live.

### How does the new law change expungement in Kentucky?

- Certain Class D felonies will be eligible for expungement
- It will be easier to expunge misdemeanors, even if you have many on your record
- If you went to a grand jury and were not indicted, you will be able to remove those charges

#### Examples of eligible Class D felonies

- ✓ **Drug possession**
- ✓ **Theft by unlawful taking**
- ✓ **Possession of a forged instrument**
- ✓ **Flagrant non-support**
- ✓ **Criminal mischief**
- ✓ **Receiving stolen property**
- ✓ **Tampering with physical evidence**
- ✓ Find the full list at [CleanSlateKentucky.com](http://CleanSlateKentucky.com)

### How much does expungement cost?

Misdemeanor expungement costs \$100, and Class D felony expungement costs \$500. Both require a Certificate of Eligibility, which costs \$40 to receive.

### So what do I need to do?

The law does not go into effect until mid-July, so you cannot apply for expungement yet. In the meantime, you can find the Kentucky Expungement Guide at our website. This will help you check your eligibility, and give you instructions for requesting an expungement. Check our events page to find a free expungement information session in your area.

**Clean Slate Kentucky is a free public service that provides information and training.**

**We aim to make expungement more accessible to all Kentuckians.**

Disclaimer of Liability: This information is provided as a public service. The information is not legal advice or legal representation.



# Class D Felonies eligible for expungement under HB40

<b>Statute</b>	<b>Offense</b>
218A.1415	Possession of controlled substance, 1st degree
530.050	Flagrant non support
516.060	Criminal possession of forged instrument, 2nd degree
514.030	Theft by unlawful taking
512.020	Criminal mischief, 1st degree
514.110	Receiving stolen property under \$10,000
511.040	Burglary, 3rd degree
524.100	Tampering with physical evidence
516.030	Forgery, 2nd degree
514.040	Theft by deception under \$10,000
514.160	Theft of identity
514.070	Theft by failure to make required disposition of property
218A.140	Prohibited acts relating to controlled substances
218A.284	Criminal possession of a forged prescription
186.990	Theft of motor vehicle plates/decal
514.140	Theft of mail matter
218A.1418	Theft of controlled substance
218A.282	Forgery of a prescription for a controlled substance, 1st offense
218A.286	Theft, criminal possession, or trafficking of a prescription for controlled substance
514.060	Theft of services
217.181	Theft of a legend drug
514.150	Possession of stolen mail matter
218A.1423	Cultivation of marijuana
218A.1416	Possession of controlled substance in 2nd degree *ENH*
514.050	Theft of property lost, mislaid, or delivered by mistake
218A.1417	Possession of controlled substance in 3rd degree *ENH*
516.090	Possession of a forgery device
217.208	Forgery of a prescription for a legend drug, 1st offense
530.010	Bigamy
514.080	Theft by extortion
514.100	Unauthorized use of automobile or other propelled vehicle
17.175	Unauthorized use/dissemination/receipt of DNA info
217.207	Theft, criminal possession, or trafficking of a prescription for legend drug
218A.1439	Trafficking in or transferring a dietary supplement
528.020	Promoting gambling Unlawful sale/shipment of alcoholic beverages by out-of-state seller to a KY consumer
244.165	consumer
365.241	Counterfeiting intellectual property
434.155	Filing illegal lien

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434.675	Use of scanning device or reencoder to obtain payment card information
434.872	Disclosure of information from financial information repository
514.065	Possession, use, or transfer of device for theft of telecommunication services
516.108	Criminal simulation in the first degree
525.113	Institutional vandalism
194A.505	False statement or misrepresentation to receive benefits under \$100
	False statement or misrepresentation to receive benefits under \$100 (repealed in 2005)
194B.505	
218A.320	Criminal possession of a medical record
218A.322	Theft of a medical record
218A.324	Criminal falsification of a medical record
286.11-057	False Statement/Certification in money transmission record
304.47-025	Felony offense involving dishonesty or breach of trust -- Fraudulent Insurance Act
324.990	Engaging in real estate brokerage without license
434.850	Unlawful access to a computer in the second degree
514.090	Theft of labor
514.120	Obscuring identity of machine or other property
517.120	Operating a sham or front company
518.040	Sports bribery
522.040	Misuse of confidential information
526.020	Eavesdropping
526.030	Installing eavesdropping device
528.040	Conspiracy to promote gambling
528.050	Possession of gambling records in the first degree

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