

2026 -- H 7555

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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

**RELATING TO CRIMINAL PROCEDURES -- IDENTIFICATION AND APPREHENSION
OF CRIMINALS**

Introduced By: Representatives Felix, McEntee, Knight, Craven, Ajello, Batista, Cruz,
Dawson, J. Lombardi, and Sanchez

Date Introduced: February 06, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 12-1-12.1 of the General Laws in Chapter 12-1 entitled

2 "Identification and Apprehension of Criminals" is hereby amended to read as follows:

3 **12-1-12.1. Sealing of records of persons acquitted or otherwise exonerated by
operation of law or by motion.**

5 (a) By operation of law, the court shall automatically seal the records of any criminal case
6 that was dismissed pursuant to the district court rule of criminal procedure 48(a), including all
7 records of the division of criminal identification established by § 12-1-4 without the requirement
8 of filing a motion under the following circumstances:

9 (1) Cases dismissed pursuant to the district court rule of criminal procedure 48(a) on or
10 after January 1, 2023, shall be automatically sealed not less than ten (10) days and not more than
11 twenty (20) days after the dismissal; or

12 (2) Cases dismissed pursuant to the district court rule of criminal procedure 48(a) prior to
13 January 1, 2023, shall be sealed administratively by the court clerk at the request of the defendant
14 and any sealing order of the district court entered as a result shall be sent electronically by the clerk
15 of the court to the bureau of criminal identification established by § 12-1-4 within five (5) days of
16 the entry of the order and shall be carried out within ninety (90) days of the receipt of the order.; or

17 **(3) Individual counts of a criminal complaint dismissed pursuant to district court rule of
criminal procedure 48(a) on and after October 1, 2026, shall be sealed administratively by the court**

1 clerk, upon request of the defendant, following the conclusion of the matter in district court. Any
2 sealing order of the district court shall be sent electronically by the clerk of the court to the bureau
3 of criminal identification established by §12-1-4 within five (5) days of the entry of the order, and
4 shall be carried out within ninety (90) days of the order.

5 (b) Any person who is acquitted or otherwise exonerated of all counts in a criminal case,
6 including, but not limited to, dismissals not described in subsection (a) of this section or filing of a
7 no true bill or no information, may file a motion for the sealing of his or her court records in the
8 case.

9 (1) Any person filing a motion for sealing his or her court records pursuant to this section
10 shall give notice of the hearing date set by the court to the department of the attorney general and
11 the police department that originally brought the charge against the person at least ten (10) days
12 prior to the hearing.

13 (2) If the court, after the hearing at which all relevant testimony and information shall be
14 considered, finds that the person is entitled to the sealing of the records, it shall order the sealing
15 of the court records of the person in that case.

16 (3) The clerk of the court shall, within forty-five (45) days of the order of the court granting
17 the motion, place under seal the court records in the case in which the acquittal, dismissal, no true
18 bill, no information, or other exoneration has been entered.

19 (c) Notwithstanding any other provision of this section, in all cases involving a filing
20 subsequent to a plea of not guilty, guilty, or nolo contendere to a charge of a crime involving
21 domestic violence, the court having jurisdiction over the case shall retain the records of the case
22 for a period of three (3) years from the date of filing. The records shall not be expunged or sealed
23 for a period of three (3) years from the date of the filing.

24 (d) The defendant shall be advised at the hearing that any and all bail money relating to a
25 case that remains on deposit and is not claimed at the time of sealing shall be escheated to the state's
26 general treasury in accordance with chapter 12 of title 8.

27 SECTION 2. This act shall take effect on October 1, 2026.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL PROCEDURES -- IDENTIFICATION AND APPREHENSION
OF CRIMINALS

- 1 This act would provide that on and after October 1, 2026, individual counts of a criminal
- 2 complaint dismissed pursuant to district court rule of criminal procedure 48(a) would be sealed
- 3 administratively by the court clerk, upon request of the defendant, following the conclusion of the
- 4 matter in district court. Any sealing order would be sent to the bureau of criminal identification.
- 5 This act would take effect on October 1, 2026.

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