

1 AN ACT relating to actions for forcible entry and detainer.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 383 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) On or after the effective date of this Act, if a court enters an order on forcible
6 entry or detainer:

7 (a) For the defendant, the court shall order the record expunged upon the
8 expiration of thirty (30) days; or

9 (b) For the plaintiff, the court shall order the record expunged upon the
10 expiration of one (1) year.

11 The order expunging the records shall not require any action by the person.

12 (2) An order of expungement pursuant to this section shall expunge all records in
13 the custody of the court and any records in the custody of any other agency or
14 official, including law enforcement records. Every agency that is ordered to
15 expunge records shall certify to the court within sixty (60) days of the entry of the
16 expungement order that the required expunging action has been completed. All
17 orders enforcing the expungement procedure shall also be expunged.

18 (3) After the expungement, the proceedings in the matter shall be deemed never to
19 have occurred. The court and other agencies shall delete or remove the records
20 from their computer systems so that any official state-performed background
21 check will indicate that the records do not exist. The court and other agencies
22 shall reply to any inquiry that no record exists on the matter. The person whose
23 record is expunged shall not have to disclose the fact of the record or any matter
24 relating thereto on an application for employment, credit, or other type of
25 application.

26 (4) Inspection of the records included in the order may thereafter be permitted by the
27 court only upon petition by the person who is the subject of the records and only

1 **to those persons named in the petition.**

2 ➔ Section 2. KRS 383.250 is amended to read as follows:

3 The clerk of the court shall carefully preserve all papers, records and proceedings, relating
4 to the cause~~;~~ and ~~shall deliver, to any person requiring it, a transcript thereof].~~ **The files**
5 **and records of the court shall not be open to inspection by persons other than parties to**
6 **such proceedings and their attorneys except under order of the court expressly**
7 **permitting inspection. Upon the entry of the final order in the case, the clerk shall**
8 **place all papers and records in the case in a suitable envelope which shall be sealed**
9 **and shall not be open for inspection without a written order of the court.**