

Expungement Reapplication

CRIMINAL JUSTICE OVERSIGHT COUNCIL
ABBIE CZIOK – 7/15/2026

NATIONAL SURVEY

State	Code Section	Approach to Reapplication
Alabama	Code of Ala. § 15-27-2.1	No statutory restrictions on number of petitions for misdemeanors
Arkansas	A.C.A. § 16-90-1413	One-year waiting period for reapplication
California	Cal Pen Code § 1203.4	No statutory restrictions on number of petitions
Colorado	C.R.S. 24-72-703	One-year waiting period for reapplication
Delaware	1 Del. C. § 4372	No statutory restrictions on number of petitions; number of granted expungements limited
Hawaii	HRS § 706-622.5, 622.8	No statutory restrictions on number of petitions; number of granted expungements limited
Indiana	Burns Ind. Code Ann. 35-38-9-2, 35-38-9-9	One lifetime petition allowed, but granting a petition is nondiscretionary if narrowly defined criteria are met
Iowa	Iowa Code § 901C.3	One lifetime petition allowed, but granting a petition is nondiscretionary if narrowly defined criteria are met
Kansas	K.S.A. § 21-6614; Kan. Admin. Regs. § 30-46-17	One-year waiting period for reapplication (statute is silent, regulations provide wait time)
Kentucky	KRS § 431.078, .079	No statutory restrictions on number of petitions; procedure starts with state law enforcement agency

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Louisiana	La. C.Cr.P. Title 34	No statutory restrictions on number of petitions
Maryland	Md. Criminal Procedure Code Ann. § 10	No statutory restrictions on number of petitions
Massachusetts	ALM GL ch. 276, § 100I	No statutory restrictions on number of petitions
Michigan	MCLS § 780.621d	Three-year waiting period for reapplication on same conviction; can seek expungement of different conviction whenever
Minnesota	Minn. Stat. § 609A.01	No statutory restrictions on number of petitions
Mississippi	Miss. Code Ann. § 99-19-71	No statutory restrictions on number of petitions
Missouri	§ 610.140 R.S. Mo.	No statutory restrictions on number of petitions
Nevada	Nev. Rev. Stat. Ann. § 179.265	Two-year waiting period for reapplication
New Hampshire	RSA 651:5	Three-year waiting period for reapplication
New Jersey	N.J. Stat. § 2C:52-14	No statutory restrictions on number of petitions; number of granted expungements limited
New Mexico	N.M. Stat. Ann. § 29-3A-5	No statutory restrictions on number of petitions
New York	NY CLS CPL § 160.59	No statutory restrictions on number of petitions; number of granted expungements limited
North Carolina	N.C. Gen. Stat. § 15A-145 et. seq.	No statutory restrictions on number of petitions
North Dakota	N.D. Cent. Code, § 12-60.1-04	One-year waiting period for reapplication
Ohio	ORC Ann. 2953.32	Can only reapply upon showing of change of circumstances following denial
Oklahoma	22 Okl. St. § 18	Can only reapply upon showing of change of circumstances following denial
Oregon	ORS § 137.225	No statutory restrictions on number of petitions
Pennsylvania	18 Pa.C.S. § 9121	No statutory restrictions on number of petitions
Rhode Island	R.I. Gen. Laws § 12-1.3-3	No statutory restrictions on number of petitions

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South Carolina	S.C. Code Ann. § 22-5-910	No statutory restrictions on number of petitions; number of granted expungements limited
South Dakota	S.D. Codified Laws § 23A-3-30	No statutory restrictions on number of petitions
Tennessee	Tenn. Code Ann. § 40-32-108	Two-year waiting period for reapplication
Texas	Tex. Code Crim. Proc. Art. 55A.351	No statutory restrictions on number of petitions, but petition availability very limited
Utah	Utah Code Ann. § 77-40a-302, -306	No statutory restrictions on number of petitions; procedure starts with state law enforcement agency
Vermont	13 V.S.A. § 7605	Two-year waiting period for reapplication
Washington	Rev. Code Wash. (ARCW) § 9.94A.640	No statutory restrictions on number of petitions
West Virginia	W. Va. Code § 61-11-26	No statutory restrictions on number of petitions; number of granted expungements limited
Wyoming	Wyo. Stat. § 7-13-1501	No statutory restrictions on number of petitions; number of granted expungements limited