

**2025 HOUSE JUDICIARY**

**HB 1263**

# 2025 HOUSE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Room JW327B, State Capitol

HB 1263  
1/28/2025

A BILL for an Act to amend and reenact section 12-60.1-04 of the North Dakota Century Code, relating to hearings on petitions to seal a criminal record.

11:01 a.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Henderson, Hoverson, Johnston, McLeod, Olson, Satrom, Tveit, VanWinkle, Wolff, Schneider

**Discussion Topics:**

- Time limitations on criminal felony petitions
- Benefits of sealing a criminal record

11:01 a.m. Representative Nels Christianson, North Dakota Representative for District 18, introduced the bill.

11:04 a.m. Christopher Davis, Veteran of the United States Marine Corps and a Vice Commander of American Legion Post 6, testified in favor and provided testimony #31362 and #32268.

11:12 a.m. Adam Martin, Founder and CEO of the F5 Project, testified in favor and provided testimony #32020.

11:23 a.m. Brad Peterson, Legal Director at the North Dakota Protection and Advocacy Project, testified in favor and provided testimony #31905.

11:26 a.m. Jaclyn Hall, Executive Director of the North Dakota Association for Justice, testified in favor and provided testimony #31989.

11:30 a.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

**Honorable Members of the Committee,**

My name is Chris Davis. I am a resident of Grand Forks's district 18, a proud veteran of the United States Marine Corps, a Vice Commander of American Legion Post 6 in Grand Forks, and a mentor with the Veteran's Wellness Court in our community. I am also someone who has lived with the lasting consequences of a criminal conviction. My experiences have shaped my understanding of the barriers that justice-involved individuals face and strengthened my commitment to advocating for systemic reforms that promote fairness and second chances.

I'm here today to voice my strong support for House Bill No. 1263. This legislation provides an essential opportunity for individuals who have demonstrated accountability and growth to petition for the sealing of their criminal records and to appeal unfavorable decisions. It represents a crucial step forward for justice-involved individuals seeking to rebuild their lives after serving their time.

**My Personal Journey**

I know firsthand how difficult it is to reintegrate into society with a criminal record. Despite having served my sentence, paid my debts, and committed myself to rehabilitation, my conviction continues to overshadow my life. Every job application, background check, or disclosure feels like a reminder of mistakes I've worked hard to overcome. These challenges not only affect individuals like me but also limit their ability to contribute fully to their families and communities.

Through my involvement with the Veteran's Wellness Court, I have seen the transformative power of second chances. Veterans, in particular, often face unique challenges upon returning to civilian life, and a criminal record only compounds these difficulties. This bill would give justice-involved individuals, including many veterans, a fair chance to move forward and live productive, meaningful lives.

**Removing an Unnecessary Burden**

One of the most commendable aspects of House Bill No. 1263 is its removal of the requirement for petitioners to prove that "the benefit to the petitioner outweighs the presumption of openness of the criminal record." This standard places an unfair burden on individuals, forcing them to justify why their rehabilitation matters more than the public's access to their past.

This requirement is a relic of a system that prioritizes punishment over redemption. When someone has proven their commitment to change through years of good conduct, gainful employment, and community involvement, the benefit of sealing their record should be self-evident. Removing this burden is an essential step in treating justice-involved individuals with the dignity and fairness they deserve.

## **The Right to Appeal**

Another vital component of this bill is its recognition of the right to appeal decisions made by district courts. This is a critical safeguard for ensuring that every individual has a fair chance to present their case. In my time volunteering with the Veteran's Wellness Court, I've seen the impact of judicial decisions on people's lives—both when the system works as it should and when it does not. The right to appeal is fundamental to ensuring fairness and correcting potential errors. It is a protection that reinforces the integrity of our legal system and gives individuals a fair chance to present their case fully.

## **A Call to Action**

This bill is about more than sealing records—it's about affirming our belief in the power of redemption and the value of second chances. Justice should not end with the completion of a sentence; it should include the opportunity to rebuild and reintegrate.

By supporting House Bill No. 1263, you are not only improving the lives of justice-involved individuals but also strengthening families, communities, and our economy. You are giving people the tools they need to succeed and the dignity they deserve.

Thank you for your time and for considering this important legislation. I am happy to answer any questions you may have.

Chris Davis

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615-549-1004



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House Judiciary Committee  
House Bill 1263 -January 28, 2025  
Testimony of Brad Peterson, P&A Legal Director

Greetings Chairman Klemin and members of the Judiciary Committee. My name is Brad Peterson and I'm the Legal Director at the North Dakota Protection and Advocacy Project (P&A). P&A is an independent state agency established in 1977 to assert and advance the human, civil, and legal rights of people with disabilities. The agency's programs and services seek to make positive changes for people with disabilities where we live, learn, work and play.

P&A supports HB 1263. P&A supports the removal of the presumption requiring a person seeking to seal a record to show 'the benefit to the petitioner outweighs the presumption of openness of the criminal record'. The presumption has the unintended consequence of requiring a person who has successfully completed the rehabilitation process to have their criminal record follow them into the work force and daily living. By removing the presumption, it would allow the rehabilitated person a better opportunity for success in their endeavors and in the community.

Thank you for your time and consideration.

Brad Peterson  
Legal Director  
[brapeterson@nd.gov](mailto:brapeterson@nd.gov)

**North Dakota Association for Justice**

PO Box 365

Mandan, ND 58554

*The Trial Lawyers of North Dakota*

Jaclyn Hall, Executive Director

jaclyn@ndaj.org

Chairman Klemin and members of the House Judiciary, my name is Jaci Hall the Executive Director of the North Dakota Association for Justice. I am here today in support of HB 1263.

HB1263 provides a clear pathway for those with a conviction to petition the court to seal their record within one year instead of three. This pathway is individual and is determined on a case-by-case basis. Sometimes a case that was denied by the court should be appealed and this legislation will allow an individual to appeal the decision.

Sealing a criminal record may significantly improve an individual's chance at finding employment, housing or other opportunities that might be restricted due to a criminal background check. Sealing a record may give them a second chance in a normal life.

We believe that everyone should get a chance to redeem themselves for a mistake they made. This legislation does not give the individual a free pass, rather a pathway to petition the court to give them an opportunity for redemption.

We ask the committee for a do pass on HB1263.

01/27/2025



**FROM THE DESK OF ADAM MARTIN FOUNDER AND CEO OF F5 PROJECT**

Chairman Klemin and members of the Judiciary Committee,

My name is Adam Martin, and I am the Founder and CEO of the F5 Project, an organization committed to supporting individuals affected by the justice system. We offer vital services aimed at helping people find recovery, secure housing, obtain employment, and maintain law-abiding lives.

Today, I am here to advocate for a DO PASS on HB 1263. Many individuals, myself included, have reaped significant benefits from the Criminal Record Seal law, which has opened doors to employment and housing opportunities for countless people. By amending this law, we can create an even more supportive environment that allows many others to access these opportunities as well. Thank you for your consideration.

Adam Martin, Founder and CEO of F5 Project



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1122 1st Ave N  
Fargo, ND 58102

My name is Christopher Davis, and I am submitting this second testimony in response to some of the questions and comments raised during the committee meeting. I hope to offer clarity and provide additional context based on my personal experiences.

### **The Time Threshold and Judicial Discretion**

One concern raised was that lowering the time threshold from three years to one year would take discretion away from the courts. From my own experience, when my petition to seal my criminal record was heard in 2022, the three-year threshold was treated as a hard and fast rule. No discussion occurred regarding the appropriateness of a shorter timeframe. The idea that judicial discretion would be curtailed by this change assumes that such discretion is currently being exercised in these matters, which has not been my observation.

### **The Burden of Proving "Benefit Outweighs Openness"**

Another important point discussed was the removal of the requirement to prove that “the benefit to the petitioner outweighs the presumption of openness of the criminal record.” I want to emphasize how this language creates an insurmountable barrier for many petitioners.

When I sought to have my record sealed, I presented overwhelming evidence of the harm caused by the continued openness of my record. I detailed how I had applied for over 700 jobs, received 8 offers, and saw all 8 rescinded following background checks. I shared how my criminal record had prevented me from obtaining professional certifications critical to advancing in my career. Despite presenting this mountain of evidence and the fact that five years had passed since my sentencing, my petition was denied solely because I could not meet the burden of proving that the benefit to me outweighed the presumption of openness.

### **The Human Cost of Waiting**

As a result of the denial, I was required to wait an additional three years before I could reapply, with no guidance or action I could take to change the outcome. This delay is not just a procedural inconvenience—it is a prolonged period of lost opportunities. Every day, my ability to access continuing education, obtain certifications, and secure stable employment is denied. This waiting period serves as nothing more than additional punishment, with no benefit to public safety or justice.

### **Why This Matters**

This experience is why I am so passionate about the removal of this burdensome language from the current law. It creates a “thumb on the scales” that undermines fairness and justice, penalizing those who have already proven their commitment to rehabilitation. Furthermore, I strongly support the introduction of a right for petitioners to appeal district court decisions. The ability to appeal ensures that errors or biases in initial rulings can be corrected, restoring confidence in the fairness of the process.

In conclusion, I urge you to support these changes to the law. By doing so, you are removing unnecessary barriers for individuals seeking to rebuild their lives, contribute to their communities, and move forward.

Thank you for considering my testimony and for your dedication to improving our justice system.



Chris Davis

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615-549-1004

# 2025 HOUSE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Room JW327B, State Capitol

HB 1263  
1/28/2025

A BILL for an Act to amend and reenact section 12-60.1-04 of the North Dakota Century Code, relating to hearings on petitions to seal a criminal record.

4:17 p.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Henderson, Hoverson, Johnston, McLeod, Olson, Satrom, Tveit, VanWinkle, Wolff, Schneider

## **Discussion Topics:**

- Similar bills from previous legislative sessions
- Offenses covered under the bill

4:22 p.m. Representative Vetter moved to Amend and remove the overstrike on page 1 lines 10 and 11.

4:22 p.m. Representative Wolff seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	N
Representative Donna Henderson	N
Representative Jeff Hoverson	Y
Representative Daniel Johnston	N
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	N
Representative Bill Tveit	Y
Representative Lori VanWinkle	N
Representative Christina Wolff	Y

4:28 p.m. Motion passed 9-5-0

4:30 p.m. Representative VanWinkle moved to further amend and remove page 2 line 12.

4:30 p.m. Representative Tveit seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	Y
Representative Jeff Hoverson	Y
Representative Daniel Johnston	Y
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y
Representative Christina Wolff	Y

4:29 p.m. Motion passed 14-0-0

4:32 p.m. Rep VanWinkle moved to further amend and remove "up to" from page 2 line 18.

4:33 p.m. Representative Johnston seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	Y
Representative Jeff Hoverson	Y
Representative Daniel Johnston	Y
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y
Representative Christina Wolff	Y

4:36 p.m. Motion passed 14-0-0

4:37 p.m. Representative Tveit moved a Do Pass as Amended.

4:37 p.m. Representative S. Olson seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y

Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	Y
Representative Jeff Hoverson	Y
Representative Daniel Johnston	Y
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y
Representative Christina Wolff	Y

4:38 p.m. Motion passed 14-0-0

4:39 p.m. Representative Karls will carry the bill.

4:40 p.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

January 28, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO**

**HOUSE BILL NO. 1263**

Introduced by

Representatives Christianson, Hendrix, Holle, D. Johnston

Senator Cory

1, 28-25  
JB 10/2

1 A BILL for an Act to amend and reenact section 12-60.1-04 of the North Dakota Century Code,  
2 relating to hearings on petitions to seal a criminal record.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 12-60.1-04 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **12-60.1-04. Hearing on petition.**

- 7 1. The court may grant a petition to seal a criminal record if the court determines by clear  
8 and convincing evidence:
- 9 a. The petitioner has shown good cause for granting the petition;
  - 10 b. The benefit to the petitioner outweighs the presumption of openness of the  
11 criminal record;
  - 12 c. The petitioner has completed all terms of imprisonment and probation for the  
13 offense;
  - 14 ~~d. e.~~ The petitioner has paid all restitution ordered by the court for commission of the  
15 offense;
  - 16 ~~e. d.~~ The petitioner has demonstrated reformation warranting relief; and
  - 17 ~~f. e.~~ The petition complies with the requirements of this chapter.
- 18 2. In determining whether to grant a petition, the court shall consider:
- 19 a. The nature and severity of the underlying crime that would be sealed;
  - 20 b. The risk the petitioner poses to society;

JB 2082

- 1 c. The length of time since the petitioner committed the offense;
- 2 d. The petitioner's rehabilitation since the offense;
- 3 e. Aggravating or mitigating factors relating to the underlying crime, including
- 4 factors outlined in section 12.1-32-04;
- 5 f. The petitioner's criminal record, employment history, and community involvement;
- 6 g. The recommendations of law enforcement, prosecutors, corrections officials, and
- 7 those familiar with the petitioner and the offense; and
- 8 h. The recommendations of victims of the offense.
- 9 3. A hearing on the petition may not be held earlier than forty-five days following the filing
- 10 of the petition.
- 11 4. To the extent practicable, upon receipt of a petition to seal a criminal record, the
- 12 prosecutor shall notify and seek input from law enforcement, witnesses, victims, and
- 13 correctional authorities familiar with the petitioner and the offense.
- 14 5. This section does not prohibit a prosecutor from stipulating to seal a criminal record
- 15 without a hearing or more expeditiously than provided in this section.
- 16 6. ~~An individual may not appeal a denial of a petition from a district judge or magistrate.~~
- 17 ~~7.~~ An individual aggrieved by denial of a petition in a municipal court may appeal the
- 18 denial to the district court for de novo review without payment of a filing fee. A petition
- 19 denied by the district court may not be appealed.
- 20 ~~8-7.~~ Except as provided in this section and if good cause is shown, a district court denying
- 21 a petition may prohibit a petitioner from filing a subsequent petition to seal a criminal
- 22 record for up to ~~three years~~one year following the denial. The order denying the
- 23 petition must provide the reasons establishing good cause for prohibiting the petition.
- 24 ~~9-8.~~ If a court grants a petition to seal a criminal record, the court shall state in the court
- 25 order that the petitioner is sufficiently rehabilitated but is subject to the provisions of
- 26 section 12.1-33-02.1, and shall release the information when an entity has a statutory
- 27 obligation to conduct a criminal history background check.

**REPORT OF STANDING COMMITTEE  
HB 1263**

**Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS** ([25.0892.01001](#)) and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1263 was placed on the Sixth order on the calendar.

**2025 SENATE JUDICIARY**

**HB 1263**



# 2025 SENATE STANDING COMMITTEE MINUTES

## Judiciary Committee Peace Garden Room, State Capitol

HB 1263  
4/2/2025

A BILL for an Act to amend and reenact section 12-60.1-04 of the North Dakota Century Code, relating to hearings on petitions to seal a criminal record.

10:30 a.m. Chair Larson opened the hearing.

Members present:

Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

### Discussion Topics:

- Barriers to employment
- Rehabilitation and reformation
- Presumption of openness
- Appeal process for denied petitions

10:30 a.m. Representative Christianson, District 18, introduced the bill and submitted testimony in favor #44565.

10:33 a.m. Christopher A. Davis, Marine Corp Veteran, testified in favor and submitted testimony #44547.

10:38 a.m. Travis Finck, Executive Director, ND Commission on Legal Counsel for Indigents, testified in favor and submitted testimony #44548.

10:41 a.m. Bradley D. Peterson, Legal Director, Protection and Advocacy North Dakota, testified in favor and submitted testimony #44462.

10:44 a.m. Chair Larson closed the hearing.

10:45 a.m. Representative Christianson, District 18, explained language, reason of past amendments and answered committee questions.

10:47 a.m. Committee discussion on upcoming schedule.

10:47 a.m. Chair Larson closed the hearing.

*Kendra McCann, Committee Clerk*



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Senate Judiciary Committee  
House Bill 1263 - April 2, 2025 Testimony of  
Brad Peterson, P&A Legal Director

Greetings Chair Larson and members of the Judiciary Committee. My name is Brad Peterson and I'm the Legal Director at the North Dakota Protection and Advocacy Project (P&A). P&A is an independent state agency established in 1977 to assert and advance the human, civil, and legal rights of people with disabilities. The agency's programs and services seek to make positive changes for people with disabilities where we live, learn, work and play.

P&A supports HB 1263. P&A also supports at lines 10 and 11 the removal of the presumption requiring a person seeking to seal a record to show 'the benefit to the petitioner outweighs the presumption of openness of the criminal record'. The presumption has the unintended consequence of requiring a person who has successfully completed the rehabilitation process to have their criminal record follow them into the work force and daily living. By removing the presumption, it would allow the rehabilitated person a better opportunity for success in their endeavors and in the community.

Thank you for your time and consideration.

Brad Peterson  
Legal Director

**Chairperson and members of the Committee,**

Thank you for the opportunity to speak with you today. My name is Christopher Davis. I'm a veteran of the United States Marine Corps, the Third Vice Commander of American Legion Post 6 in Grand Forks, and a mentor with our local Veteran's Wellness Court. I come before you not just as someone who believes in second chances—but as someone who works every day to help others earn theirs.

Veterans Treatment Court is where I've seen redemption in action. I work with justice-involved veterans—many of whom are struggling with mental health and substance use issues—who are actively turning their lives around. It's intensive, it's demanding, and it's transformative. The individuals I mentor show that when we invest in rehabilitation and accountability together, people thrive. I am proud to be a part of that work.

But I'm also someone who has experienced firsthand how the current record sealing law continues to punish those who have clearly changed. In 2022, five years after my sentencing, I petitioned the Grand Forks District Court to seal my record. I submitted documentation showing I'd applied for over 700 jobs, received eight job offers, and lost all but one of them after background checks. I provided evidence of continued education, clean living, and professional growth. I included proof of the professional certifications I was unable to obtain solely because of my criminal record.

None of it was enough. The law required me to prove that the benefit to me outweighed a broad, abstract "public interest." That's not justice—it's a loaded scale. Once my petition was denied, I was told I'd have to wait three more years before trying again. No appeal. No further review. Just more lost time, missed opportunity, and quiet punishment.

This is why I strongly support House Bill 1263—and why I was deeply disappointed to see the language removing the "presumption of openness" struck from the bill.

That presumption is not neutral. It puts a thumb on the scale against people who have already done the hard work to change. In my case, it outweighed everything—my military service, my mentorship of fellow veterans and recovering addicts, and my consistent efforts to rebuild my life and give back to my community.

I feel it is important to clarify what record sealing actually means. This process does **not** erase a criminal conviction. Sealed records remain fully available to law enforcement, licensing boards, and government agencies which require access. They can still be used to enhance future sentencing if a person reoffends. What sealing does is limit public access—by employers, landlords, and background check companies—to convictions that no longer reflect who a person is. Importantly, sealing only happens if a judge determines that the petitioner is rehabilitated. That finding should carry real weight—not be automatically discounted by a default presumption.

As I stand before this Committee, advocating for change, I hope it is clear to see that I am not a danger to society; I am part of the solution. I've committed my life to helping others through

mentorship, advocacy, and leading by example. I've done so while carrying the burden of a criminal record that no longer reflects who I am.

I am grateful this bill retains the right to appeal district court denials—that alone is a meaningful step forward. However, by keeping the presumption of openness standard intact, we are still telling people like myself that no matter how far we've come, the system sees only where we started.

Thank you for your time, and for considering how this bill can better reflect both justice and the possibility of redemption. I'm happy to answer any questions at this time.

Chris Davis

[cdchris12@gmail.com](mailto:cdchris12@gmail.com)

615-549-1004

HB 1263  
69<sup>th</sup> Legislative Assembly  
Senate Judiciary Committee  
April 2, 2025  
Testimony of Travis W. Finck, Executive Director, NDCLCI

Madam Chair Larson, members of the Senate Judiciary Committee, my name is Travis Finck and I am the Executive Director for the North Dakota Commission on Legal Counsel for Indigents. The Commission is the state agency responsible for the delivery of indigent defense services in North Dakota. I rise today on behalf of the Commission to provide testimony in support of House Bill 1263.

HB 1263 allows for an appeal of a denial to seal a record and shortens the time in which a petitioner must wait to file a subsequent petition in denied at first. Allowing an appeal of a denial to seal records is essential to ensuring fairness in the legal system. The appeal provides a safeguard against penitential errors in the decision-making process, ensuring individual rights are protected and justice is served. It is likely the standard of review that would be applied would be an abuse of discretion standard, making most appeals unfruitful. However, an appeal would allow another court to review to ensure the petitioned court followed the statute.

Madam Chair, members of the Committee, the Commission supports HB 1263 and its attempt to allow those who have served their sentence, been rehabilitated, and satisfied all conditions and parties to have their record sealed. The ability to appeal strengthens trust in the system. The ability to file a subsequent petition in a shorter period of time incentivizes a petitioner who is denied to satisfy any remaining concerns a court may have. For all the reasons stated herein, the Commission respectfully requests a DO PASS recommendation on HB 1263.

Respectfully Submitted:



Travis W. Finck  
Executive Director, NDCLCI



# North Dakota House of Representatives

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## **Representative Nels Christianson**

District 18  
1002 Belmont Road  
Grand Forks, ND, 58201-5621  
[nchristianson@ndlegis.gov](mailto:nchristianson@ndlegis.gov)

## **COMMITTEES:**

Judiciary  
Transportation

April 2, 2025

Chairman Larson and Members of the Senate Committee on Judiciary:

I am Nels Christianson, and I am honored to represent District 18, which includes central and northern parts of the City of Grand Forks, Manvel, and northeast Grand Forks County.

This morning, I bring HB 1263 before this committee to open a clearer pathway to redemption and renewal for those who have a criminal conviction in their past and can demonstrate reformation and rehabilitation. This bill proposes making sealing criminal records more accessible to a petitioner if a petition has been previously denied.

An individual who has been convicted of a crime faces significant barriers to employment and services. The purpose of this bill is to reduce those barriers to a person with a criminal history who has completed all the provisions of his or her sentence and demonstrated reformation to have that criminal record sealed. By sealing this record, this bill will open employment and housing options to petitioners which will help each individual achieve a productive life and reduce the potential for recidivism.

The amended version of this bill that I bring before you gives recourse to an individual whose petition to seal a criminal record has been denied. It allows a petitioner to appeal a petition that has been denied in court. It also enables an individual with a denied petition to file a new petition after one year.

Please consider that this bill does not impede the ability of a prosecutor or court to consider a prior, sealed conviction for sentencing enhancements.

Chairman Larson and Members of the Committee, I encourage you to recommend DO PASS on HB 1263 to lower the bar for individuals who have been convicted, completed all terms of their sentence, and demonstrated reformation to move on with their lives.

# 2025 SENATE STANDING COMMITTEE MINUTES

## Judiciary Committee Peace Garden Room, State Capitol

HB 1263  
4/8/2025

A BILL for an Act to amend and reenact section 12-60.1-04 of the North Dakota Century Code, relating to hearings on petitions to seal a criminal record.

9:23 a.m. Chair Larson opened the hearing.

Members present:

Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

### Discussion Topics:

- Appeal process removal
- Legislative consensus

9:23 a.m. Senator Cory updated the committee on the progress of the bill and asked for committee opinion.

9:25 a.m. Senator Cory moved a Do Pass.

9:25 a.m. Senator Myrdal seconded the motion.

Senators	Vote
Senator Diane Larson	Y
Senator Bob Paulson	Y
Senator Ryan Braunberger	Y
Senator Jose L. Castaneda	Y
Senator Claire Cory	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion Passed 7-0-0.

9:25 a.m. Senator Cory will carry the bill.

9:25 a.m. Committee discussion on upcoming schedule.

9:26 a.m. Chair Larson closed the hearing.

*Kendra McCann, Committee Clerk*

**REPORT OF STANDING COMMITTEE  
ENGROSSED HB 1263 ([25.0892.02000](#))**

**Judiciary Committee (Sen. Larson, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). Engrossed HB 1263 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.