

118TH CONGRESS
2D SESSION

S. 4161

To authorize the Attorney General to make grants to States, units of local government, and Indian Tribes to reduce the financial and administrative burden of expunging convictions for cannabis offenses, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2024

Ms. ROSEN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To authorize the Attorney General to make grants to States, units of local government, and Indian Tribes to reduce the financial and administrative burden of expunging convictions for cannabis offenses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Harnessing Opportuni-
5 ties by Pursuing Expungement Act of 2024” or the
6 “HOPE Act of 2024”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) CANNABIS.—The term “cannabis” means
2 marijuana or cannabis, as defined under the State
3 law authorizing the sale or use of cannabis in which
4 an individual or entity is located.

5 (2) CANNABIS OFFENSE.—The term “cannabis
6 offense” means a criminal offense relating to can-
7 nabis—

8 (A) that, under State law—

9 (i) is no longer an offense; or

10 (ii) was designated a lesser offense; or

11 (B) for which the penalty under State
12 law—

13 (i) was reduced pursuant to or fol-
14 lowing the adoption of a State law author-
15 izing the sale or use of cannabis;

16 (ii) does not include jail time; or

17 (iii) includes some jail time following
18 the adoption of a State law substantially
19 reducing the amount of jail time.

20 (3) ELIGIBLE ENTITY.—The term “eligible enti-
21 ty” means a State, a unit of local government, or an
22 Indian Tribe.

23 (4) INDIAN TRIBE.—The term “Indian Tribe”
24 has the meaning given the term in section 4 of the

1 Indian Self-Determination and Education Assistance
2 Act (25 U.S.C. 5304).

3 (5) STATE.—The term “State” means each of
4 the several States of the United States, the District
5 of Columbia, and any commonwealth or territory of
6 the United States.

7 (6) UNIT OF LOCAL GOVERNMENT.—The term
8 “unit of local government” means a county, munici-
9 pality, town, township, village, parish, borough, or
10 other unit of general government below the State
11 level.

12 **SEC. 3. STATE EXPUNGEMENT OPPORTUNITY GRANT PRO-**
13 **GRAM.**

14 (a) AUTHORIZATION.—The Attorney General may
15 award grants to eligible entities to reduce the financial and
16 administrative burden of expunging convictions for can-
17 nabis offenses that are available for individuals who have
18 been convicted of cannabis offenses under the laws of the
19 State.

20 (b) NAME OF PROGRAM.—The grant program estab-
21 lished under this section shall be known as the “State
22 Expungement Opportunity Grant Program”.

23 (c) APPLICATION.—The chief executive of an eligible
24 entity seeking a grant under this section shall submit to
25 the Attorney General an application at such time, in such

1 manner, and containing such information as the Attorney
2 General may reasonably require.

3 (d) USE OF FUNDS.—An eligible entity that receives
4 a grant under this section shall use funds from the
5 grant—

6 (1) for technology to provide cost-effective legal
7 relief at scale;

8 (2) to automate the process of expunging con-
9 victions for cannabis offenses;

10 (3) for clinics, including legal clinics, that assist
11 individuals through the expungement process;

12 (4) to implement the notice requirement de-
13 scribed in subsection (e);

14 (5) to seal records of conviction for cannabis of-
15 fenses, if appropriate; and

16 (6) for other innovative partnerships to provide
17 wide-scale relief to individuals who are eligible for
18 the expungement of a conviction for a cannabis of-
19 fense under the laws of the State.

20 (e) NOTICE REQUIREMENT.—An eligible entity that
21 receives a grant under this section shall—

22 (1) publish on a publicly accessible website in-
23 formation about the availability and process of
24 expunging convictions for cannabis offenses, includ-
25 ing information for individuals living in an area

1 other than the area under the jurisdiction of the eli-
2 gible entity who were convicted of a cannabis offense
3 in the area under the jurisdiction of the eligible enti-
4 ty; and

5 (2) implement a process to notify each indi-
6 vidual convicted of a cannabis offense—

7 (A) when the expungement process has
8 begun; and

9 (B) when the expungement is complete, in-
10 cluding, if applicable, when an official certifi-
11 cate of expungement (or any other similar docu-
12 ment used by the eligible entity) has been
13 issued.

14 (f) REPORT.—An eligible entity that receives a grant
15 under this section shall submit to the Attorney General
16 a report describing—

17 (1) the uses of funds from the grant; and

18 (2) how many convictions for cannabis offenses
19 have been expunged using funds from the grant.

20 (g) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Attorney General
22 to carry out this section \$2,000,000 for each of fiscal
23 years 2025 through 2034.

1 **SEC. 4. STUDY ON THE IMPACT OF CRIMINAL OFFENSES**
2 **RELATED TO CANNABIS.**

3 (a) **IN GENERAL.**—Not later than 1 year after the
4 date of enactment of this Act, the Attorney General shall
5 submit to Congress and make publicly available on the
6 website of the Department of Justice a report on a study
7 conducted on—

8 (1) the effects of the appearance on an individ-
9 ual’s criminal record report of a conviction for a
10 criminal offense relating to cannabis, including—

11 (A) disqualifying the individual from fu-
12 ture opportunities in housing and employment;

13 (B) increasing the likelihood that the indi-
14 vidual will have future involvement with the
15 criminal justice system;

16 (C) how any such effects differ based on
17 demographics, including race; and

18 (D) any other matters determined appro-
19 priate by the Attorney General; and

20 (2) the costs incurred by States for incarcer-
21 ating an individual convicted for a criminal offense
22 relating to cannabis.

23 (b) **CLARIFICATION.**—The report submitted under
24 subsection (a) may not include any personally identifiable
25 information.