



671508

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/06/2017	.	
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	.	
	.	

The Committee on Criminal Justice (Brandes) recommended the following:

1 **Senate Amendment to Substitute Amendment (756200) (with**
2 **directory and title amendments)**

3
4 Between lines 88 and 89
5 insert:

6 (1) PETITION TO EXPUNGE A CRIMINAL HISTORY RECORD.—Each
7 petition to a court to expunge a criminal history record is
8 complete only when accompanied by:

9 (b) The petitioner's sworn statement attesting that the
10 petitioner:



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11 1. Has never, before ~~prior~~ to the date on which the
12 petition is filed, been adjudicated guilty of a felony ~~criminal~~
13 offense or comparable ordinance violation, or been adjudicated
14 delinquent for committing any felony ~~or a misdemeanor specified~~
15 ~~in s. 943.051(3)(b)~~.

16 2. Has not been adjudicated guilty of a misdemeanor offense
17 or been adjudicated delinquent for committing a misdemeanor
18 specified in s. 943.051(3)(b) in the previous 10 years.

19 ~~3.2.~~ Has not been adjudicated guilty of, or adjudicated
20 delinquent for committing, any of the acts stemming from the
21 arrest or alleged criminal activity to which the petition
22 pertains.

23 ~~4.3.~~ Has never secured a prior sealing or expunction of a
24 criminal history record under this section, s. 943.059, former
25 s. 893.14, former s. 901.33, or former s. 943.058, unless
26 expunction is sought of a criminal history record previously
27 sealed for 10 years pursuant to paragraph (2)(h) and the record
28 is otherwise eligible for expunction.

29 ~~5.4.~~ Is eligible for such an expunction to the best of his
30 or her knowledge or belief and does not have any other petition
31 to expunge or any petition to seal pending before any court.

32
33 Any person who knowingly provides false information on such
34 sworn statement to the court commits a felony of the third
35 degree, punishable as provided in s. 775.082, s. 775.083, or s.
36 775.084.

37
38 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

39 And the directory clause is amended as follows:



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40 Delete line 36
41 and insert:
42 Section 2. Paragraph (b) of subsection (1) and paragraph
43 (a) of subsection (2) of section
44
45 ===== T I T L E A M E N D M E N T =====
46 And the title is amended as follows:
47 Delete line 155
48 and insert:
49 adjudications of guilt or delinquency for specified
50 misdemeanor offenses committed before a certain time
51 and instances in which a judgment of acquittal or a