

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 605 — Expunction of Criminal History Records

by Criminal Justice Subcommittee and Reps. Smith, Gottlieb, and others (CS/CS/SB 504 by Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senators Rodriguez and Perry)

The bill amends s. 943.0585, F.S., to permit a person who has had one prior expunction granted for an offense that was committed when he or she was a minor to have another eligible record expunged.

The bill provides that if the prior expunction was for an offense in which the minor was charged as an adult, the person is not eligible for a subsequent expunction. The bill also provides that the record is exempt from the 10 year sealing requirement.

Additionally, the bill specifies that a person is not eligible for expunction if the indictment, information, or other charging document in the case giving rise to the criminal history record was dismissed pursuant to s. 916.145, F.S., or s. 985.19, F.S., which provides statutory guidelines for the dismissal of charges when a defendant is adjudicated incompetent to proceed due to mental illness.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.
Vote: Senate 38-0; House 107-2