

By Senators Dawson and Jones

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A bill to be entitled
An act relating to administrative expunction of
arrest records; amending s. 943.0581, F.S.;
requiring the Department of Law Enforcement to
expunge any arrest record that pertains to an
arrest made under a law that is subsequently
declared to be unconstitutional by the court;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 943.0581, Florida Statutes, is
amended to read:

943.0581 Administrative expunction.--Notwithstanding
any law dealing generally with the preservation and
destruction of public records, the department may provide, by
rule adopted pursuant to chapter 120, for the administrative
expunction of any nonjudicial record of an arrest of a minor
or an adult made contrary to law or by mistake. In addition,
the department shall expunge the arrest record of a minor or
an adult which pertains to an arrest made under a law that is
subsequently declared unconstitutional by a court of competent
jurisdiction.

Section 2. This act shall take effect upon becoming a
law.

SENATE SUMMARY

Requires that the Department of Law Enforcement expunge
any arrest record pertaining to an arrest of a minor or
an adult which is subsequently declared to be
unconstitutional by a court of competent jurisdiction.