



1           3. Carrying a concealed weapon, as defined in s.  
2 790.01(1).  
3           4. Unlawful use of destructive devices or bombs, as  
4 defined in s. 790.1615(1).  
5           5. Negligent treatment of children, as defined in s.  
6 827.05.  
7           6. Assault or battery on a law enforcement officer, a  
8 firefighter, or other specified officers, as defined in s.  
9 784.07(2)(a) and (b).  
10          7. Open carrying of a weapon, as defined in s.  
11 790.053.  
12          8. Exposure of sexual organs, as defined in s. 800.03.  
13          9. Unlawful possession of a firearm, as defined in s.  
14 790.22(5).  
15          10. Petit theft, as defined in s. 812.014(3).  
16          11. Cruelty to animals, as defined in s. 828.12(1).  
17          12. Arson, as defined in s. 806.031(1).  
18          13. Unlawful possession or discharge of a weapon or  
19 firearm at a school-sponsored event or on school property as  
20 defined in s. 790.115.  
21          Section 2. Subsection (10) is added to section  
22 943.053, Florida Statutes, to read:  
23            943.053 Dissemination of criminal justice information;  
24 fees.--  
25            (10) Notwithstanding any other provision of law, the  
26 Department of Law Enforcement may not release any criminal  
27 history information relating to a minor without the  
28 corresponding disposition information.  
29          Section 3. Subsection (1) of section 985.212, Florida  
30 Statutes, is amended to read:  
31            985.212 Fingerprinting and photographing.--

1           (1)(a) A child who is ~~charged with or~~ found to have  
2 committed an offense that would be a felony if committed by an  
3 adult shall be fingerprinted and the fingerprints must be  
4 submitted to the Department of Law Enforcement as provided in  
5 s. 943.051(3)(a).

6           (b) A child who is ~~charged with or~~ found to have  
7 committed one of the following offenses shall be  
8 fingerprinted, and the fingerprints shall be submitted to the  
9 Department of Law Enforcement as provided in s. 943.051(3)(b):

10           1. Assault, as defined in s. 784.011.

11           2. Battery, as defined in s. 784.03.

12           3. Carrying a concealed weapon, as defined in s.  
13 790.01(1).

14           4. Unlawful use of destructive devices or bombs, as  
15 defined in s. 790.1615(1).

16           5. Negligent treatment of children, as defined in  
17 former s. 827.05.

18           6. Assault on a law enforcement officer, a  
19 firefighter, or other specified officers, as defined in s.  
20 784.07(2)(a).

21           7. Open carrying of a weapon, as defined in s.  
22 790.053.

23           8. Exposure of sexual organs, as defined in s. 800.03.

24           9. Unlawful possession of a firearm, as defined in s.  
25 790.22(5).

26           10. Petit theft, as defined in s. 812.014.

27           11. Cruelty to animals, as defined in s. 828.12(1).

28           12. Arson, resulting in bodily harm to a firefighter,  
29 as defined in s. 806.031(1).

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1           13. Unlawful possession or discharge of a weapon or  
2 firearm at a school-sponsored event or on school property as  
3 defined in s. 790.115.

4           (c) A law enforcement agency may fingerprint and  
5 photograph a child taken into custody upon probable cause that  
6 ~~the such~~ child has committed any other violation of law, as  
7 the agency deems appropriate. ~~The Such~~ fingerprint records and  
8 photographs shall be retained by the law enforcement agency in  
9 a separate file, and these records and all copies thereof must  
10 be marked "Juvenile Confidential." These records are not  
11 available for public disclosure and inspection under s.  
12 119.07(1) except as provided in ss. 943.053 and 985.04(5), but  
13 shall be available to other law enforcement agencies, criminal  
14 justice agencies, state attorneys, the courts, the child, the  
15 parents or legal custodians of the child, their attorneys, and  
16 any other person authorized by the court to have access to the  
17 ~~such~~ records. In addition, the such records may be submitted  
18 to the Department of Law Enforcement for inclusion in the  
19 state criminal history records and used by criminal justice  
20 agencies for criminal justice purposes only as provided under  
21 paragraphs (a) and (b). These records may, in the discretion  
22 of the court, be open to inspection by anyone upon a showing  
23 of cause. The fingerprint and photograph records shall be  
24 produced in the court whenever directed by the court. Any  
25 photograph taken pursuant to this section may be shown by a  
26 law enforcement officer to any victim or witness of a crime  
27 for the purpose of identifying the person who committed the  
28 ~~such~~ crime.

29           (d)(e) The court shall be responsible for the  
30 fingerprinting of any child at the disposition hearing if the  
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1 child has been adjudicated or had adjudication withheld for  
2 any felony in the case currently before the court.

3 (e) If a child is found to have committed an offense  
4 that would be a felony if committed by an adult, or one of the  
5 offenses listed in paragraph (b), the clerk of the court shall  
6 submit the disposition information to the department within 60  
7 days after the disposition hearing.

8 Section 4. This act shall take effect July 1, 2006.

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11 SENATE SUMMARY

12 Revises the requirement concerning fingerprinting of  
13 juveniles to include only a minor who is found to have  
14 committed a certain offense. Prohibits the Department of  
15 Law Enforcement from releasing any criminal history  
16 information relating to minors without the corresponding  
17 disposition information. Requires that the clerk of the  
18 court submit disposition information to the department  
19 under certain circumstances.

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