

1                   A bill to be entitled  
 2           An act relating to criminal history records of juveniles;  
 3           creating s. 943.05825, F.S.; providing for the automatic  
 4           sealing of records of juvenile offenses upon completion of  
 5           sentence; providing exceptions; providing for the effect  
 6           of sealing; providing for application of other specified  
 7           provisions relating to expunction and sealing of records;  
 8           providing an effective date.

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

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 12           Section 1. Section 943.05825, Florida Statutes, is created  
 13   to read:

14           943.05825 Automatic sealing of juvenile records.—

15           (1) Notwithstanding any other law, the criminal history  
 16           record of any juvenile offenses committed by a juvenile shall be  
 17           automatically sealed upon the juvenile's completion of all  
 18           sentences for those offenses, except for the record of any  
 19           offense for which the juvenile was:

20           (a) Transferred to the adult system under s. 985.557,  
 21           indicted under s. 985.56, or waived into the adult system under  
 22           s. 985.556; or

23           (b) Transferred to the adult system but sentenced to the  
 24           juvenile system under s. 985.565.

25           (2) As used in this section, the term "sealed" or  
 26           "sealing" has the same meaning in effect and ascribed in s.  
 27           943.059, excluding s. 943.059(4) (a), except that the criminal  
 28           history record of a person whose record is sealed pursuant to

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29 this section shall be made available only to criminal justice  
30 agencies for the purpose of determining eligibility for  
31 prearrest, postarrest, or teen court diversion programs; when  
32 the record is sought as part of a criminal investigation; or  
33 when the subject of the record is a candidate for employment  
34 with a criminal justice agency. For all other purposes, a person  
35 whose record is sealed under this section may lawfully deny or  
36 fail to acknowledge the arrest and the charge covered by the  
37 sealed record.

38 (3) Sealing granted under this section does not prevent  
39 the juvenile who receives such relief from petitioning for the  
40 expunction or sealing of a later criminal history record as  
41 provided in ss. 943.0585 and 943.059 if the juvenile is  
42 otherwise eligible under those sections.

43 Section 2. This act shall take effect July 1, 2011.