

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee  
 2 Representative Steube offered the following:

3  
 4 **Amendment (with title amendment)**

5 Between lines 20 and 21, insert:

6 Section 1. Paragraphs (c), (e), and (f) of subsection (3)  
 7 and subsection (5) of section 943.0582, Florida Statutes, are  
 8 amended to read:

9 943.0582 Prearrest, postarrest, or teen court diversion  
 10 program expunction.—

11 (3) The department shall expunge the nonjudicial arrest  
 12 record of a minor who has successfully completed a prearrest or  
 13 postarrest diversion program if that minor:

14 (c) Submits to the department, with the application, an  
 15 official written statement from the state attorney for the  
 16 county in which the arrest occurred certifying that he or she  
 17 has successfully completed that county's prearrest or postarrest

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18 diversion program, that his or her participation in the program  
19 was based on an arrest for a nonviolent misdemeanor, or for a  
20 felony that does not relate to a violation of s. 393.135, s.  
21 394.4593, s. 787.025, chapter 794, s. 796.03, s. 800.04, s.  
22 810.14, s. 817.034, s. 825.1025, s. 827.071, chapter 839, s.  
23 847.0133, s. 847.0135, s. 847.0145, s. 893.135, s. 916.1075, a  
24 violation enumerated in s. 907.041, or any violation specified  
25 as a predicate offense for registration as a sexual predator  
26 pursuant to s. 775.21, without regard to whether that offense  
27 alone is sufficient to require such registration, or for  
28 registration as a sexual offender pursuant to s. 943.0435, and  
29 that he or she has not otherwise been charged with or found to  
30 have committed any criminal offense or comparable ordinance  
31 violation.

32 ~~(e) Participated in a prearrest or postarrest diversion~~  
33 ~~program based on an arrest for a nonviolent misdemeanor that~~  
34 ~~would not qualify as an act of domestic violence as that term is~~  
35 ~~defined in s. 741.28.~~

36 ~~(f)~~ Has never, prior to filing the application for  
37 expunction, been charged with or been found to have committed  
38 any criminal offense or comparable ordinance violation.

39 (5) In the case of a minor whose completion of the program  
40 occurred before the effective date of this section, the  
41 application for prearrest or postarrest diversion expunction  
42 must be submitted within 6 months after the effective date of  
43 this section.

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44        (6) Expunction or sealing granted under this section does  
45 not prevent the minor who receives such relief from petitioning  
46 for the expunction or sealing of a later criminal history record  
47 as provided for in ss. 943.0583, 943.0585, and 943.059, if the  
48 minor is otherwise eligible under those sections.

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**T I T L E   A M E N D M E N T**

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Remove lines 2-3 and insert:

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An act relating to expunction; amending 943.0582, F.S.; allowing  
54 minors who have certain felony arrests to have the Department of  
55 Law Enforcement expunge their nonjudicial arrest record upon  
56 successful completion of a prearrest or postarrest diversion  
57 program; extending the application submission date for minors  
58 who completed the program before a certain date; amending s.  
59 943.0585, F.S.;

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