

1 A bill to be entitled
 2 An act relating to juvenile expunction; amending s.
 3 943.0582, F.S.; allowing minors who have certain
 4 felony arrests to have the Department of Law
 5 Enforcement expunge their nonjudicial arrest record
 6 upon successful completion of a prearrest or
 7 postarrest diversion program; providing an effective
 8 date.

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

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 12 Section 1. Paragraphs (c) and (e) of subsection (3) of
 13 section 943.0582, Florida Statutes, are amended to read:

14 943.0582 Prearrest, postarrest, or teen court diversion
 15 program expunction.—

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

19 (c) Submits to the department, with the application, an
 20 official written statement from the state attorney for the
 21 county in which the arrest occurred certifying that he or she
 22 has:

23 1. Successfully completed that county's prearrest or
 24 postarrest diversion program.~~, that his or her participation~~

25 2. Participated in the program based on an arrest
 26 resulting in one or more charges unrelated to: ~~was based on an~~

27 | ~~arrest for~~

28 | a. A violent nonviolent misdemeanor;

29 | b. A felony violation of s. 393.135, s. 394.4593, s.

30 | 787.025, s. 787.06, chapter 794, s. 800.04, s. 810.14, s.

31 | 817.034, s. 825.1025, s. 827.071, chapter 839, s. 847.0133, s.

32 | 847.0135, s. 847.0145, s. 893.135, or s. 916.1075;

33 | c. A violation enumerated in s. 907.041; or

34 | d. A violation specified as a predicate offense for

35 | registration as a sexual predator pursuant to s. 775.21, without

36 | regard to whether that offense alone is sufficient to require

37 | such registration, or for registration as a sexual offender

38 | pursuant to s. 943.0435., and that he or she has

39 | 3. Not otherwise been charged by the state attorney with
 40 | or found to have committed any criminal offense or comparable
 41 | ordinance violation.

42 | ~~(c) Participated in a prearrest or postarrest diversion~~
 43 | ~~program based on an arrest for a nonviolent misdemeanor that~~
 44 | ~~would not qualify as an act of domestic violence as that term is~~
 45 | ~~defined in s. 741.28.~~

46 | Section 2. This act shall take effect July 1, 2015.