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LEGISLATIVE ACTION

Senate

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House

The Committee on Criminal Justice (Perry) recommended the following:

Senate Amendment (with title amendment)

Delete lines 21 - 41

and insert:

program, after the minor reaches 18 years of age, if that minor:

(b) Submits to the department, with the application, an official written statement from the state attorney for the county in which the arrest occurred certifying that he or she has successfully completed that county's diversion program, ~~that his or her participation in the program was based on an arrest~~



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11 ~~for a misdemeanor~~, and that he or she has not otherwise been
12 charged by the state attorney with, or found to have committed,
13 any criminal offense or comparable ordinance violation.

14 Section 2. Subsection (5) of section 985.126, Florida
15 Statutes is amended to read:

16 985.126 Diversion programs; data collection; denial of
17 participation or expunged record.-

18 (5) A minor who successfully completes a diversion program
19 ~~for a first-time misdemeanor offense~~ may lawfully deny or fail
20 to acknowledge his or her participation in the program and an
21 expunction of a nonjudicial arrest record under s. 943.0582,
22 unless the inquiry is made by a criminal justice agency, as
23 defined in s. 943.045, for a purpose described in s.
24 943.0582(2)(b)1.

25 Section 3. This act shall take effect on the same date that
26 SB 1292 or similar legislation takes effect, if such legislation
27 is adopted in the same legislative session or an extension
28 thereof and becomes law.

29
30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

32 Delete lines 5 - 7

33 and insert:

34 to programs for misdemeanor offenses; requiring that
35 the minor reach the age of 18 before he or she is
36 eligible for juvenile diversion program expunction;
37 amending s. 985.126, F.S.; conforming a provision to
38 changes made by the act; providing a contingent
39 effective date.