

By Senator Powell

30-01834-21

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1 A bill to be entitled
2 An act relating to automatic sealing of criminal
3 history records; amending s. 943.0595, F.S.; requiring
4 the clerk of the court to transmit certified copies of
5 the disposition of criminal history records for
6 criminal cases disposed of before a certain date to
7 the Department of Law Enforcement on a specified
8 schedule; providing that transmission of the certified
9 copy to the department seals the criminal history
10 record; providing an effective date.

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

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14 Section 1. Paragraph (a) of subsection (3) of section
15 943.0595, Florida Statutes, is amended to read:

16 943.0595 Automatic sealing of criminal history records.—

17 (3) PROCESS FOR AND EFFECT OF AUTOMATIC SEALING.—

18 (a) Upon the disposition of a criminal case resulting in a
19 criminal history record eligible for automatic sealing under
20 paragraph (2)(a), the clerk of the court shall transmit a
21 certified copy of the disposition of the criminal history record
22 to the department, which shall seal the criminal history record
23 upon receipt of the certified copy.

24 1. For criminal cases disposed of before October 1, 2019,
25 the clerk of the court shall transmit a certified copy of the
26 disposition of the criminal history record to the department on
27 the following schedule:

28 a. Criminal cases disposed of between January 1, 2015, and
29 September 30, 2019, must be submitted by October 1, 2021.

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30 b. Criminal cases disposed of between January 1, 2010, and
31 December 31, 2014, must be submitted by October 1, 2022.

32 c. Criminal cases disposed of between January 1, 2005, and
33 December 31, 2009, must be submitted by October 1, 2023.

34 d. Criminal cases disposed of before December 31, 2009,
35 must be submitted by October 1, 2024.

36 2. The transmission of the certified copy to the department
37 shall seal the criminal history record upon the department's
38 receipt of the certified copy.

39 Section 2. This act shall take effect July 1, 2021.