

1 A bill to be entitled
 2 An act relating to fees; amending s. 943.0586, F.S.,
 3 as created by HB 1471; requiring applicants for a
 4 certificate of eligibility of expunction for certain
 5 criminal history records to pay a specified fee to the
 6 Department of Law Enforcement for placement in a
 7 specified trust fund; providing an exception;
 8 providing a contingent 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. Paragraph (a) of subsection (3) of section
 13 943.0586, Florida Statutes, as created by HB 1471 or other
 14 similar legislation enacted in the 2022 Regular Session or an
 15 extension thereof and which becomes a law, is amended to read:

16 943.0586 Cannabis expunction.—

17 (3) CERTIFICATE OF ELIGIBILITY.—Before petitioning a court
 18 to expunge a criminal history record under this section, a
 19 person seeking to expunge a criminal history record must apply
 20 to the department for a certificate of eligibility for
 21 expunction. The department shall adopt rules to establish
 22 procedures for applying for and issuing a certificate of
 23 eligibility for expunction.

24 (a) The department shall issue a certificate of
 25 eligibility for expunction to a person who is the subject of a

HB 1473

2022

26 | criminal history record under this section, if that person:

27 | 1. Satisfies the eligibility criteria in subsection (2);

28 | 2. Has submitted to the department a written certified
29 | statement from the appropriate state attorney or statewide
30 | prosecutor which confirms the criminal history record complies
31 | with the criteria in subsection (2); ~~and~~

32 | 3. Has submitted to the department a certified copy of the
33 | disposition of the charge to which the petition to expunge
34 | pertains; and

35 | 4. Remits a \$75 processing fee to the department for
36 | placement in the Department of Law Enforcement Operating Trust
37 | Fund, unless the executive director waives the fee.

38 | Section 2. This act shall take effect on the same date
39 | that HB 1471 or similar legislation takes effect, if such
40 | legislation is adopted in the same legislative session or an
41 | extension thereof and becomes a law.