

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/SB 166 — Public Records/Nonjudicial Record of the Arrest of a Minor
by Criminal Justice Committee and Senators Perry and Gruters

The bill is the public records exemption linked to SB 274. The bill provides that a nonjudicial record of the arrest of a minor who has successfully completed a diversion program and is eligible for expunction is made confidential and exempt from public disclosure, except that the record must be made available only to criminal justice agencies for specified purposes. SB 274 amends s. 943.0582, F.S., to permit a juvenile who completed a diversion program for any offense, including a felony offense, to apply to have the nonjudicial arrest record expunged. Additionally, SB 274 amends s. 985.126, F.S., to permit a juvenile who completed a diversion program for any offense, including a felony or subsequent offense, to lawfully deny or fail to acknowledge his or her participation in the program and the expunction.

The bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2026, unless reviewed and saved from the repeal through reenactment by the Legislature.

If approved by the Governor, these provisions take effect on the same date that SB 274 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Vote: Senate 40-0; House 114-0