

Committee on Criminal Justice

CS/CS/SB 376 — Automatic Sealing of Criminal History Records and Making Confidential and Exempt Related Court Records

by Rules Committee; Criminal Justice Committee; and Senators Burgess and Perry

The bill amends s. 943.0595, F.S., to provide that a criminal history record is eligible for automatic sealing when an indictment, information, or other charging document was dismissed *as to all counts*, or a not guilty verdict or judgment of acquittal was rendered *as to all counts*.

Additionally, the bill requires the Florida Department of Law Enforcement, to notify the clerk upon the sealing of a criminal history record. Upon such notification the clerk must automatically keep the related court record in the case giving rise to the department's sealing of the criminal history record confidential and exempt from s. 119.071(1), F.S., and Art. I, s. 24(a), State Constitution.

Making such a criminal history record confidential and exempt has the same effect and the clerk of the court may disclose such a record in the same manner as a record sealed under s. 943.059, F.S.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 39-0; House 115-1