By Senator Brandes

24-00207A-18   2018690__

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 1                        A bill to be entitled
 2           An act relating to criminal history records; creating
 3           s. 943.0586, F.S.; requiring the Criminal Justice
 4           Information Program to administratively seal the
 5           criminal history records of an adult or a minor upon
 6           notification by the clerk of the court under specified
 7           circumstances; providing applicability for the
 8           administrative sealing of specified criminal history
 9           records; providing a contingent effective date.
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11     Be It Enacted by the Legislature of the State of Florida:
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13           Section 1. Section 943.0586, Florida Statutes, is created
14     to read:
15           943.0586 Administrative sealing of criminal history
16     records.—
17           (1) Regardless of any prior criminal conviction of the
18     adult or minor, the Criminal Justice Information Program shall
19     administratively seal the criminal history records pertaining to
20     an arrest or incident of alleged criminal activity of an adult
21     or a minor charged with a felony, misdemeanor, or violation of a
22     comparable rule or ordinance by a state, county, municipal, or
23     other law enforcement agency upon notification by the clerk of
24     the court, pursuant to s. 943.052(2), that all the charges
25     related to the arrest or incident of alleged criminal activity
26     were declined to be filed by the state attorney or statewide
27     prosecutor, were dismissed or nolle prosequi before trial, or
28     resulted in a judgment of acquittal or a verdict of not guilty
29     at trial and that all appeals by the prosecution have been
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CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

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30 exhausted or the time to file an appeal has expired.

31   (2) The sealing under this section of a criminal history

32 record has the same effect as a sealing under s. 943.059(4).

33   Section 2. This act shall take effect July 1, 2018, but

34 only if SB ____ or similar legislation takes effect, if such

35 legislation is adopted in the same legislative session or an

36 extension thereof and becomes law.