



26 (3) The department shall expunge the nonjudicial arrest  
 27 record of a minor who has successfully completed a diversion  
 28 program if that minor:

29 (b) Submits to the department, with the application, an  
 30 official written statement from the state attorney for the  
 31 county in which the arrest occurred certifying that the minor ~~he~~  
 32 ~~or she~~ has successfully completed that county's diversion  
 33 program; ~~and~~ that the minor's his or her participation in the  
 34 program was based on an arrest for a misdemeanor offense or for  
 35 a felony offense, other than a forcible felony as defined in s.  
 36 776.08 or a felony involving the manufacture, sale, purchase,  
 37 transport, possession, or use of a firearm or weapon as those  
 38 terms are defined in s. 790.001; and that the minor ~~he or she~~  
 39 has not otherwise been charged by the state attorney with, or  
 40 found to have committed, any criminal offense or comparable  
 41 ordinance violation.

42 Section 2. Subsection (5) of section 985.126, Florida  
 43 Statutes, is amended to read:

44 985.126 Diversion programs; data collection; denial of  
 45 participation or expunged record.—

46 (5) A minor who successfully completes a diversion program  
 47 and who has been granted an expunction under s. 943.0582 ~~for a~~  
 48 ~~first-time misdemeanor offense~~ may lawfully deny or fail to  
 49 acknowledge his or her participation in the program and such an  
 50 expunction of a nonjudicial arrest record ~~under s. 943.0582,~~

51 | unless the inquiry is made by a criminal justice agency, as  
52 | defined in s. 943.045, for a purpose described in s.  
53 | 943.0582(2)(b)1.

54 |       Section 3. This act shall take effect July 1, 2022.