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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/01/2025	.	
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The Committee on Criminal Justice (Simon) recommended the following:

Senate Substitute for Amendment (629908)

Delete lines 27 - 103

and insert:

defined in s. 741.28; or a misdemeanor violation of s. 316.193, s. 741.29, s. 741.31, s. 784.046, s. 784.047, s. 784.048, s. 784.0487, s. 784.049, s. 800.02, or s. 800.03.

(c) ~~(b)~~ The person has never, before the date the application for a certificate of eligibility is filed, been adjudicated guilty in this state of a criminal offense other



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11 than an offense eligible for sealing under subparagraph (b)2.,
12 or been adjudicated delinquent in this state for committing any
13 felony or any of the following misdemeanor offenses, unless the
14 record of such adjudication of delinquency has been expunged
15 pursuant to s. 943.0515:

- 16 1. Assault, as defined in s. 784.011;
- 17 2. Battery, as defined in s. 784.03;
- 18 3. Assault on a law enforcement officer, a firefighter, or
19 other specified officers, as defined in s. 784.07(2)(a);
- 20 4. Carrying a concealed weapon, as defined in s. 790.01(2);
- 21 5. Open carrying of a weapon, as defined in s. 790.053;
- 22 6. Unlawful possession or discharge of a weapon or firearm
23 at a school-sponsored event or on school property, as defined in
24 s. 790.115;
- 25 7. Unlawful use of destructive devices or bombs, as defined
26 in s. 790.1615(1);
- 27 8. Unlawful possession of a firearm by a minor, as defined
28 in s. 790.22(5);
- 29 9. Exposure of sexual organs, as defined in s. 800.03;
- 30 10. Arson, as defined in s. 806.031(1);
- 31 11. Petit theft, as defined in s. 812.014(3);
- 32 12. Neglect of a child, as defined in s. 827.03(1)(e); or
- 33 13. Cruelty to animals, as defined in s. 828.12(1).

34 ~~(c) The person has not been adjudicated guilty of, or~~
35 ~~adjudicated delinquent for committing, any of the acts stemming~~
36 ~~from the arrest or alleged criminal activity to which the~~
37 ~~petition to seal pertains.~~

38 (d) The person is no longer serving the sentence or under
39 ~~court~~ supervision applicable to any ~~the~~ disposition of arrest or



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40 alleged criminal activity to which the petition to seal
41 pertains.

42 (e) The person has not on more than two occasions ~~never~~
43 secured a prior sealing or expunction of a criminal history
44 record under this section, s. 943.0585, former s. 893.14, former
45 s. 901.33, or former s. 943.058. In addition, if the criminal
46 history record is one for which the person was adjudicated
47 guilty, the person has not secured a prior sealing of a criminal
48 history record for which the person was adjudicated guilty.

49 (4) COURT AUTHORITY.—

50 (c) The court may order the sealing of a criminal history
51 record pertaining to one arrest, adjudication of guilt, or one
52 incident of alleged criminal activity only, except the court may
53 order the sealing of a criminal history record pertaining to
54 more than one arrest or adjudication of guilt if the additional
55 arrests or adjudications of guilt directly relate to the
56 original arrest or adjudication of guilt. If the court intends
57 to order the sealing of records pertaining to such additional
58 arrests or adjudications of guilt, such intent must be specified
59 in the order. A criminal justice agency may not seal any record
60 pertaining to such additional arrests or adjudications of guilt
61 if the order to seal does not articulate the intention of the
62 court to seal a record pertaining to more than one arrest or
63 adjudication of guilt. This section does not prevent the court
64 from ordering the sealing of only a portion of a criminal
65 history record pertaining to one arrest, adjudication of guilt,
66 or one incident of alleged criminal activity.