

**First Regular Session
Seventy-Seventh General Assembly
STATE OF SAN ANDREAS**

REVISED

LLS NO. 26-0712.04 Robin Bass x2314

HOUSE BILL 26-007

SENATE SPONSORSHIP

Forbes

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Enriquez, Schneider, Spencer, Vasquez

House Committees

Judiciary

Senate Committees

Justice, Public Safety & Constitutional Affairs

A BILL FOR AN ACT

CONCERNING THE SEALING OR EXPUNGEMENT OF JUVENILE CRIMINAL RECORDS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <https://saleg.uscgov.com>)

This bill establishes a uniform statewide process allowing certain juvenile records to be sealed or expunged after an individual has successfully completed all court-ordered requirements. The bill is intended to support rehabilitation and reduce long-term barriers to education, employment, and housing for individuals who committed offenses as juveniles and have demonstrated compliance with court sentences.

Shading denotes HOUSE amendment. Underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

Under the bill, individuals who have completed all terms of their sentence and remained free of new offenses for a specified period may petition the court to have their juvenile records sealed. Sealed records are no longer publicly accessible but may remain available to courts and law enforcement for limited purposes authorized by law.

The bill also allows individuals whose records have been sealed to later petition for expungement following an additional period of lawful behavior. Expungement results in the destruction or permanent removal of the record, allowing the individual to lawfully state that the offense did not occur in most circumstances.

Certain serious offenses, including homicide and felony sexual offenses, are excluded from automatic eligibility. The legislation also directs the Judicial Branch and Department of Law to implement procedures for automatic sealing of eligible nonviolent juvenile records once court sentences are completed.

1 *Be it enacted by the General Assembly of the State of San*
2 *Andreas:*
3 **SECTION 1. SHORT TITLE.** This Act shall be known and may
4 be cited as the “Juvenile Records Act.” **SECTION 2.**
5 **LEGISLATIVE DECLARATION.** The General Assembly finds
6 and declares that: The General Assembly hereby finds and
7 declares that: (a) The juvenile justice system is intended to
8 promote rehabilitation, accountability, and successful
9 reintegration into society. (b) Juvenile records may create
10 long-term barriers to education, employment, housing, and
11 military service, even after a young person has successfully
12 completed all court-ordered obligations. (c) Individuals who have
13 complied with court sentences and demonstrated rehabilitation
14 should have a meaningful opportunity to move forward without
15 the lasting stigma of a juvenile record. (d) Providing a clear and
16 consistent process for sealing or expungement of eligible juvenile
17 records promotes public safety by encouraging rehabilitation and
18 reducing recidivism. (e) It is the intent of the General Assembly to

1 establish uniform standards for the sealing and expungement of
2 juvenile records upon successful completion of court
3 requirements, while preserving access for limited law
4 enforcement and judicial purposes where necessary. (f) The
5 General Assembly further finds that the interests of victims and
6 public safety must be balanced with the goal of rehabilitation.
7 **SECTION 3. DEFINITIONS.** For purposes of this Act, unless the
8 context otherwise requires: (a) “Juvenile record” means any law
9 enforcement, court, detention, probation, or diversion record
10 relating to an offense committed while the individual was under
11 eighteen years of age. (b) “Sealing” means restricting access to a
12 record so that it is not publicly accessible but may be viewed by
13 courts or law enforcement for limited purposes as provided by
14 law. (c) “Expungement” means the destruction or permanent
15 removal of a record such that it is treated as though it never
16 occurred. (d) “Completed sentence” means full compliance with
17 all court-ordered requirements, including probation, restitution,
18 treatment programs, fines, and community service. (e)
19 “Nonviolent offense” means any offense that does not involve the
20 use or threatened use of physical force against another person.
21 **SECTION 4. ELIGIBILITY FOR RECORD SEALING.** (a) A
22 person shall be eligible to petition the court for sealing of a
23 juvenile record if: (I) The individual has completed all terms of
24 the court-imposed sentence; (II) No new criminal or delinquent
25 offenses have occurred for a period of twelve months for
26 misdemeanor offenses and twenty-four months for felony
27 offenses; and (III) The offense is not excluded under subsection
28 (c) of this section. (b) Upon a finding that the individual has
29 complied with all requirements and that sealing is consistent with
30 public safety, the court shall order the record sealed. (c) The
31 following offenses are not eligible for automatic sealing under this
32 Act: (I) Offenses involving homicide; (II) Felony sexual offenses;
33 (III) Offenses requiring registration as a sex offender under state

1 law. (d) Notwithstanding subsection (a) of this section, sealing of
2 an eligible juvenile record shall occur automatically upon
3 verification by the court that the individual has completed all
4 terms of the sentence and has remained free of new criminal or
5 delinquent offenses for the period specified in subsection (a)(II) of
6 this section, and such determination shall be made within sixty
7 days of eligibility where practicable. A petition shall not be
8 required unless eligibility cannot be determined through existing
9 court or law enforcement records. (e) In determining whether
10 sealing is consistent with public safety, the court shall apply a
11 rebuttable presumption that successful completion of all
12 court-ordered requirements demonstrates rehabilitation. (f) For
13 offenses involving an identifiable victim, the court shall provide
14 notice of sealing to the victim upon request, provided such notice
15 does not delay the sealing process. **SECTION 5.**
16 **EXPUNGEMENT OF CERTAIN JUVENILE RECORDS.** (a) A
17 person whose juvenile record has been sealed may petition for
18 expungement after an additional period of three years without a
19 new criminal or delinquent offense. Nothing in this section shall
20 be construed to conflict with federal law or federal background
21 check requirements. (b) The court shall grant expungement upon
22 finding that: (I) The individual has remained law-abiding; (II) All
23 restitution obligations have been satisfied, or the court finds that
24 nonpayment results primarily from financial hardship despite
25 documented good-faith effort toward compliance; and (III)
26 Expungement serves the interests of justice and rehabilitation. (c)
27 Upon expungement, all agencies shall destroy or permanently
28 delete records subject to the order, except statistical data that does
29 not identify the individual. (d) Upon receipt of a petition for
30 expungement, the court shall issue a ruling within forty-five days
31 unless good cause is shown. ~~Failure of the court to act within the~~
32 ~~required period shall result in the petition being deemed granted~~
33 ~~by operation of law.~~ The court shall prioritize expungement

1 petitions and provide written justification for any delay beyond
2 forty-five days. (e) Eligible sealed juvenile records shall be
3 automatically eligible for expungement upon expiration of the
4 waiting period where eligibility can be verified through court
5 records without petition, except for felony offenses, which shall
6 require a petition and judicial review. **SECTION 6. EFFECT OF**
7 **SEALING OR EXPUNGEMENT.** (a) A person whose record has
8 been sealed or expunged shall be restored, in the eyes of the law,
9 to the status occupied before the arrest or adjudication and may
10 lawfully state for all purposes that the underlying offense, arrest,
11 or adjudication did not occur, except where disclosure is expressly
12 required by state or federal law. Exceptions to disclosure are as
13 follows: (I) Employment with a law enforcement agency; (II)
14 Judicial or prosecutorial positions; or (III) Situations otherwise
15 required by state or federal law. ~~(IV) No public institution of~~
16 ~~higher education, housing authority, or state licensing agency~~
17 ~~shall deny opportunity solely on the basis of a sealed juvenile~~
18 ~~record.~~ (b) Sealed records may be accessed by courts and law
19 enforcement only for sentencing, investigation, or background
20 checks authorized by law. (c) No state agency, political
21 subdivision, or contractor shall disclose, sell, transfer, or
22 otherwise disseminate sealed or expunged juvenile record
23 information to any private data broker, background check
24 company, or commercial entity. Any record disclosed in violation
25 of this subsection shall be deemed unlawfully released and subject
26 to immediate removal. (d) Upon sealing or expungement of a
27 juvenile record, any corresponding public school disciplinary
28 record arising solely from the underlying offense shall also be
29 sealed unless retention is required by federal law. (e) Any private
30 entity knowingly retaining or disseminating sealed or expunged
31 juvenile record information shall be subject to civil penalties not
32 exceeding five thousand dollars per violation. (f) No public
33 institution of higher education, housing authority, or state

1 licensing agency shall deny opportunity solely on the basis of a
2 sealed juvenile record. **SECTION 7. AUTOMATIC SEALING**
3 **FOR CERTAIN OFFENSES.** (a) The Department of Law, in
4 coordination with the Judicial Branch, shall develop procedures
5 for automatic sealing of all eligible juvenile records, including
6 misdemeanor and nonviolent felony offenses, within ninety days
7 after completion of the sentence when eligibility requirements are
8 met. (b) Individuals shall not be required to pay a filing fee for
9 automatic sealing under this subsection. ~~(c) No filing fee,~~
10 ~~administrative fee, or court cost shall be assessed for any petition~~
11 ~~seeking sealing or expungement of a juvenile record under this~~
12 ~~Act.~~ No filing fee shall be required; however, the court may assess
13 a nominal administrative fee not to exceed fifteen dollars, which
14 may be waived for indigent applicants. (d) Upon sealing or
15 expungement of a juvenile record, the court shall provide written
16 notice to all agencies known to possess the record and shall
17 require confirmation of compliance within fifteen days, unless the
18 agency demonstrates technical impossibility. (e) Within thirty
19 days of determining that an individual has satisfied eligibility
20 requirements for sealing or expungement, the court shall provide
21 written or electronic notice to the individual informing them of
22 eligibility and explaining available rights under this Act. (f) The
23 Judicial Branch shall establish a secure electronic notification
24 system to automatically transmit sealing or expungement orders to
25 all law enforcement agencies, detention facilities, prosecutors, and
26 authorized record holders. (g) The Judicial Branch may
27 implement automatic sealing in phases based on available
28 technology and funding, prioritizing misdemeanor offenses.
29 **SECTION 8. RULEMAKING AUTHORITY.** The Judicial
30 Branch and the Department of Law may promulgate rules
31 necessary to implement this Act. Rules shall include standards for
32 data security and interagency information sharing. **SECTION 9.**
33 **PROGRAM REVIEW AND REPORTING.** (a) Beginning two

1 years after enactment, the Judicial Branch shall submit an annual
2 public report including: (I) Number of records sealed; (II) Number
3 expunged; (III) Average processing time; (IV) Demographic and
4 geographic trends; (V) Implementation challenges; and (VI)
5 Recidivism rates of individuals whose records have been sealed or
6 expunged, to the extent data is available. (b) Personally
7 identifying information shall not be disclosed. **SECTION 10.**
8 SEVERABILITY. If any provision of this Act or its application is
9 held invalid, such invalidity shall not affect other provisions
10 which may be given effect without the invalid provision.
11 **SECTION 11. EFFECTIVE DATE.** Act subject to petition –
12 effective date. This act takes effect on August 18, 2026, assuming
13 the general assembly adjourns sine die on May 18, 2026; except
14 that, if a veto petition is filed pursuant to Article II, Section 15 of
15 the state constitution against this act or an item, section, or part of
16 this act within such period, then the act, item, section, or part will
17 not take effect unless approved by the people at the general
18 election to be held in November 2026 and, in such case, will take
19 effect on the date of the official declaration of the vote thereon by
20 the governor.