

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

INTRODUCED

LLS NO. 26-0712.01 Robin Bass x2314

HOUSE BILL 26-007

SENATE SPONSORSHIP

Forbes

HOUSE SPONSORSHIP

Enriquez, Schneider, Spencer, Vasquez

House Committees

Not assigned

Senate Committees

Not assigned

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

1 intent of the General Assembly to establish uniform standards for
2 the sealing and expungement of juvenile records upon successful
3 completion of court requirements, while preserving access for
4 limited law enforcement and judicial purposes where necessary.

5 **SECTION 3. DEFINITIONS.** For purposes of this Act, unless the
6 context otherwise requires: (a) “Juvenile record” means any law
7 enforcement, court, detention, probation, or diversion record
8 relating to an offense committed while the individual was under
9 eighteen years of age. (b) “Sealing” means restricting access to a
10 record so that it is not publicly accessible but may be viewed by
11 courts or law enforcement for limited purposes as provided by
12 law. (c) “Expungement” means the destruction or permanent
13 removal of a record such that it is treated as though it never
14 occurred. (d) “Completed sentence” means full compliance with
15 all court-ordered requirements, including probation, restitution,
16 treatment programs, fines, and community service. **SECTION 4.**
17 **ELIGIBILITY FOR RECORD SEALING.** (a) A person shall be
18 eligible to petition the court for sealing of a juvenile record if: (I)
19 The individual has completed all terms of the court-imposed
20 sentence; (II) No new criminal or delinquent offenses have
21 occurred for a period of twelve months following completion of
22 the sentence; and (III) The offense is not excluded under
23 subsection (c) of this section. (b) Upon a finding that the
24 individual has complied with all requirements and that sealing is
25 consistent with public safety, the court shall order the record
26 sealed. (c) The following offenses are not eligible for automatic
27 sealing under this Act: (I) Offenses involving homicide; (II)
28 Felony sexual offenses; (III) Offenses requiring registration as a
29 sex offender under state law. **SECTION 5. EXPUNGEMENT OF**
30 **CERTAIN JUVENILE RECORDS.** (a) A person whose juvenile
31 record has been sealed may petition for expungement after an
32 additional period of three years without a new criminal or
33 delinquent offense. (b) The court shall grant expungement upon

1 finding that: (I) The individual has remained law-abiding; (II) All
2 restitution and financial obligations have been satisfied; and (III)
3 Expungement serves the interests of justice and rehabilitation. (c)
4 Upon expungement, all agencies shall destroy or permanently
5 delete records subject to the order, except statistical data that does
6 not identify the individual. **SECTION 6. EFFECT OF SEALING**
7 **OR EXPUNGEMENT.** (a) A person whose record has been
8 sealed or expunged may lawfully state that the underlying offense
9 or arrest did not occur, except when applying for: (I) Employment
10 with a law enforcement agency; (II) Judicial or prosecutorial
11 positions; or (III) Situations otherwise required by state or federal
12 law. (b) Sealed records may be accessed by courts and law
13 enforcement only for sentencing, investigation, or background
14 checks authorized by law. **SECTION 7. AUTOMATIC**
15 **SEALING FOR CERTAIN OFFENSES.** (a) The Department of
16 Law, in coordination with the Judicial Branch, shall develop
17 procedures for automatic sealing of eligible nonviolent juvenile
18 records within sixty days after completion of the sentence when
19 all eligibility requirements are met. (b) Individuals shall not be
20 required to pay a filing fee for automatic sealing under this
21 subsection. **SECTION 8. RULEMAKING AUTHORITY.** The
22 Judicial Branch and the Department of Law may promulgate rules
23 necessary to implement this Act. **SECTION 9. EFFECTIVE**
24 **DATE.** This Act shall take effect after the 90-day period after final
25 adjournment of the Seventy-Seventh general assembly.