

Sponsored By: Representative(s) Throne, Esquibel, K. and
Halverson and Senator(s) Burns and Craft

AN ACT relating to juveniles; providing for expungement of juvenile records as specified; providing prosecutorial discretion to petition to postpone expungement; providing conforming amendments; and providing for an effective date.

1/16/2015 Bill Number Assigned
1/20/2015 H Received for Introduction
1/20/2015 H Introduced and Referred to H01 - Judiciary
1/27/2015 Judiciary: Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Baker, Esquibel, K., Halverson, Kroeker, Krone, Miller, Pelkey, Pownall, Winters

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/27/2015 H Placed on General File

HB0123HS001/ADOPTED

Page 2-line 3 After "6-1-104(a)(xii)" insert "or a violation of a state or municipal traffic law or ordinance".

Page 2-line 21 Delete "delay" insert "deny".

Page 2-line 22 After "expungement" delete balance of line and insert ".".

Page 2-line 23 Delete entirely.

Page 3-lines 1 and 2 Delete entirely.

Page 3-line 3 Delete "section for good cause." insert "No less than three (3) years from the issuance of an order denying expungement, the person may petition the court for expungement of juvenile court records under this section.".

Page 3-After line 21 Insert:
"(d) Upon reaching the age of majority, a person may petition the court having appropriate jurisdiction for expungement of a conviction for a juvenile violation of a state or municipal traffic law or ordinance."

(e) As used in this section, "expungement" means the destruction or obliteration of arrest records and adjudications of delinquency specified in the court order issued under this section." MILLER, CHAIRMAN

1/28/2015 H COW Passed

HB0123H2001/ADOPTED

Page 3-After line 21 In the standing committee amendment (HB0123HS001/A) to this line, delete subsection (e) created by the standing committee amendment. NICHOLAS, B.

HB0123H2002/ADOPTED

(CORRECTED COPY)

Delete the Nicholas second reading amendment (HB0123H2001/A) entirely and further amend as follows:

Page 3-After line 21 In the standing committee amendment (HB0123HS001/a) to these lines, delete subsection (e) created by the standing committee amendment and further amend as follows:

"(e) The court having appropriate jurisdiction over a person's records shall notify the person at the time of a decision or adjudication of the person's case and shall inform the person:

(i) Whether the person's records are set to be expunged under subsections (a), (b) or (c) of this section;

(ii) Whether the person has the right to petition for expungement of the person's records under subsection (d) of this section;

(iii) That the district attorney may petition the court to postpone the expungement of records under this section and that the person shall be provided notice and opportunity to contest the district attorney's petition.

(f) As used in this section, "expungement" means the proceedings in a person's case are deemed never to have occurred and the person may reply accordingly upon any inquiry in the matter." HALVERSON, THRONE

1/29/2015 H 2nd Reading:Passed

1/30/2015 H 3rd Reading:Passed 60-0-0-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baker, Baldwin, Barlow, Berger, Blackburn, Blake, Brown Speaker, Burkhart, Byrd, Campbell, Cannady, Clem, Connolly, Dayton, Edmonds, Edwards, Eklund, Esquibel, Freeman, Gay, Greear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings, Kasperik, Kirkbride, Kroeker, Krone, Larsen Lloyd, Laursen Dan, Lindholm, Lockhart, Loucks, Madden, McKim, Miller, Moniz, Nicholas, Northrup, Patton, Paxton, Pelkey, Petroff, Piiparinen, Pownall, Reeder, Schwartz, Sommers, Steinmetz, Stubson, Throne, Walters, Wilson, Winters, Zwonitzer,Dn, Zwonitzer,Dv

Ayes 60 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/2/2015 S Received for Introduction

2/9/2015 S Introduced and Referred to S01 - Judiciary

3/3/2015 S No report prior to CoW Cutoff

3/3/2015 S DO PASS FAILED in Accordance with Senate Rule 5-4: 2-3-0-0-0

ROLL CALL

Ayes: Senator(s) Esquibel, F., Von Flatern

Nays: Senator(s) Christensen, Hicks, Kinskey

Ayes 2 **Nays** 3 **Excused** 0 **Absent** 0 **Conflicts** 0