

SB 294, as introduced, provides that the following court actions **require no action by the child to initiate**, and once the order to vacate, expunge, or seal the adjudication is issued, the court shall inform the person in writing of the order and the consequences thereof:

- The court shall order the adjudication vacated and the records expunged when a child attains the age of 18 if an offense other than one classifying the child as a violent offender or a sex crime was committed while that child was under the age of 15.
- If a court dismisses a petition against a child or finds the child not delinquent, the court shall order the record of the proceeding expunged.
- The court shall order the adjudication sealed when a child attains the age of 18 if an offense other than one classifying the child as a violent offender or a sex crime occurred after the child reached the age of 15 and the child has had no further adjudications and no status offense, public offense, or criminal proceeding pending.

SB 294 provides that only law enforcement may access records that have been expunged or sealed, and only for the following reasons:

- To determine if a child is eligible for a diversion program;
- For investigative or prosecutorial purposes within the juvenile justice system; or
- For a background check that related to law enforcement employment or any employment that requires security clearance.

SB 294 SCS retains all the provisions of the measure as introduced and makes linguistic changes only.

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

The fiscal impact of SB 294 SCS on local governments is expected to be nil to minimal.

Juvenile records are treated differently from the beginning. Access is extremely restricted. In general, local law enforcement agencies do not get dispositions on juvenile cases and they do not maintain juvenile arrest records, except for traffic offenses which are treated as adult records.

Data Source(s): Franklin County Sheriff's Office

Preparer: Wendell F. Butler **Reviewer:** JWN **Date:** 3/17/16