

HOUSE FILE _____
BY WOLFE

A BILL FOR

1 An Act relating to the sealing of juvenile delinquency records.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.150, subsection 1, paragraph a,
2 subparagraph (2), Code 2021, is amended to read as follows:

3 (2) The person has not been subsequently convicted of a
4 felony ~~or an aggravated or serious misdemeanor~~ or adjudicated
5 a delinquent child for an act which if committed by an
6 adult would be a felony, ~~an aggravated misdemeanor, or a~~
7 ~~serious misdemeanor~~ and no proceeding is pending seeking such
8 conviction or adjudication.

9

EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill relates to the sealing of juvenile records.

13 Current law provides that the juvenile court, after a
14 sealing of records hearing, shall order the official juvenile
15 court records in the case sealed if the court finds all of
16 the following: the person is 18 years of age or older and
17 two years have elapsed since the last official action in the
18 person's case; the person has not been subsequently convicted
19 of a felony or an aggravated or serious misdemeanor or
20 adjudicated a delinquent child for an act which if committed
21 by an adult would be a felony, an aggravated misdemeanor, or
22 a serious misdemeanor and no proceeding is pending seeking
23 such conviction or adjudication; the person was not placed on
24 youthful offender status, transferred back to district court
25 after the youthful offender's 18th birthday, and sentenced for
26 the offense which precipitated the youthful offender placement;
27 and the person was not adjudicated delinquent on an offense
28 involving a violation of Code section 321J.2 (operating while
29 under the influence of alcohol or a drug or while having an
30 alcohol concentration of .08 or more).

31 The bill eliminates subsequent aggravated or serious
32 misdemeanor or delinquency adjudications from the list of the
33 types of criminal offenses that prevent the court from sealing
34 a juvenile delinquency record.