

**House File 38 - Introduced**

HOUSE FILE 38

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.