

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 09-1044

BY REPRESENTATIVE(S) Roberts, Apuan, Court, Curry, Ferrandino, Gardner B., Green, Kerr A., Labuda, Levy, Looper, McFadyen, McGihon, Middleton, Pace, Priola, Ryden, Schafer S., Solano, Stephens, Todd, Waller;
also SENATOR(S) Morse, Boyd, Carroll M., Groff, Heath, Hodge, Isgar, Newell, Tapia, Williams.

CONCERNING EXPUNGEMENT OF RECORDS RELATING TO A CRIMINAL MATTER
FOR WHICH A JUVENILE IS SENTENCED AS A JUVENILE AFTER BEING
CHARGED BY THE DIRECT FILING OF CHARGES IN A DISTRICT COURT.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 19-1-306 (7) (c), Colorado Revised Statutes, is amended to read:

19-1-306. Expungement of juvenile delinquent records. (7) The following persons are not eligible to petition for the expungement of any juvenile record:

(c) Any person who, as a juvenile, has been charged by the direct filing of an information in the district court or by indictment pursuant to section 19-2-517, UNLESS THE PERSON WAS SENTENCED AS A JUVENILE IN

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

THE SAME MATTER;

SECTION 2. Act subject to petition - effective date. (1) This act shall take effect September 1, 2009.

(2) However, if a referendum petition is filed against this act or an item, section, or part of this act during the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, then the act, item, section, or part, shall not take effect unless approved by the people at a biennial regular general election and shall take

effect on the date specified in subsection (1) or on the date of the official declaration of the vote thereon by proclamation of the governor, whichever is later.

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Peter C. Groff
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO