



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4302

by Rep. Barbara Wheeler

SYNOPSIS AS INTRODUCED:

705 ILCS 405/5-915

Amends the Juvenile Court Act of 1987. Provides that upon adjudication of a person as a delinquent minor for an act if committed by an adult would be a non-violent crime, the person may petition the court for automatic expungement of law enforcement records and juvenile court records relating to the incident that was a non-violent crime and that occurred before his or her 18th birthday, if the minor was placed under supervision under the Delinquency Article of this Act and pays the required fees for expungement of his or her records relating to the incident. Provides that if all juvenile court proceedings relating to that incident have been terminated, supervision has been successfully completed, and the minor has not been charged with another crime since the disposition of the non-violent charge, the court must expunge all law enforcement records and juvenile court records relating to the incident that was a non-violent crime.

LRB099 13856 RLC 37833 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Juvenile Court Act of 1987 is amended by
5 changing Section 5-915 as follows:

6 (705 ILCS 405/5-915)

7 Sec. 5-915. Expungement of juvenile law enforcement and
8 court records.

9 (0.05) For purposes of this Section and Section 5-622:

10 "Expunge" means to physically destroy the records and
11 to obliterate the minor's name from any official index or
12 public record, or both. Nothing in this Act shall require
13 the physical destruction of the internal office records,
14 files, or databases maintained by a State's Attorney's
15 Office or other prosecutor.

16 "Law enforcement record" includes but is not limited to
17 records of arrest, station adjustments, fingerprints,
18 probation adjustments, the issuance of a notice to appear,
19 or any other records maintained by a law enforcement agency
20 relating to a minor suspected of committing an offense.

21 "Non-violent crime" means an offense that is not a
22 violent crime as defined in subsection (c) of Section 3 of
23 the Rights of Crime Victims and Witnesses Act.

1 (1) Whenever any person has attained the age of 18 or
2 whenever all juvenile court proceedings relating to that person
3 have been terminated, whichever is later, the person may
4 petition the court to expunge law enforcement records relating
5 to incidents occurring before his or her 18th birthday or his
6 or her juvenile court records, or both, but only in the
7 following circumstances:

8 (a) the minor was arrested and no petition for
9 delinquency was filed with the clerk of the circuit court;

10 or

11 (b) the minor was charged with an offense and was found
12 not delinquent of that offense; or

13 (c) the minor was placed under supervision pursuant to
14 Section 5-615, and the order of supervision has since been
15 successfully terminated; or

16 (d) the minor was adjudicated for an offense which
17 would be a Class B misdemeanor, Class C misdemeanor, or a
18 petty or business offense if committed by an adult.

19 (1.5) Commencing 180 days after the effective date of this
20 amendatory Act of the 98th General Assembly, the Department of
21 State Police shall automatically expunge, on or before January
22 1 of each year, a person's law enforcement records relating to
23 incidents occurring before his or her 18th birthday in the
24 Department's possession or control and which contains the final
25 disposition which pertain to the person when arrested as a
26 minor if:

1 (a) the minor was arrested for an eligible offense and
2 no petition for delinquency was filed with the clerk of the
3 circuit court; and

4 (b) the person attained the age of 18 years during the
5 last calendar year; and

6 (c) since the date of the minor's most recent arrest,
7 at least 6 months have elapsed without an additional
8 arrest, filing of a petition for delinquency whether
9 related or not to a previous arrest, or filing of charges
10 not initiated by arrest.

11 The Department of State Police shall allow a person to use
12 the Access and Review process, established in the Department of
13 State Police, for verifying that his or her law enforcement
14 records relating to incidents occurring before his or her 18th
15 birthday eligible under this subsection have been expunged as
16 provided in this subsection.

17 The Department of State Police shall provide by rule the
18 process for access, review, and automatic expungement.

19 (1.6) Commencing on the effective date of this amendatory
20 Act of the 98th General Assembly, a person whose law
21 enforcement records are not subject to subsection (1.5) of this
22 Section and who has attained the age of 18 years may use the
23 Access and Review process, established in the Department of
24 State Police, for verifying his or her law enforcement records
25 relating to incidents occurring before his or her 18th birthday
26 in the Department's possession or control which pertain to the

1 person when arrested as a minor, if the incident occurred no
2 earlier than 30 years before the effective date of this
3 amendatory Act of the 98th General Assembly. If the person
4 identifies a law enforcement record of an eligible offense that
5 meets the requirements of this subsection, paragraphs (a) and
6 (c) of subsection (1.5) of this Section, and all juvenile court
7 proceedings related to the person have been terminated, the
8 person may file a Request for Expungement of Juvenile Law
9 Enforcement Records, in the form and manner prescribed by the
10 Department of State Police, with the Department and the
11 Department shall consider expungement of the record as
12 otherwise provided for automatic expungement under subsection
13 (1.5) of this Section. The person shall provide notice and a
14 copy of the Request for Expungement of Juvenile Law Enforcement
15 Records to the arresting agency, prosecutor charged with the
16 prosecution of the minor, or the State's Attorney of the county
17 that prosecuted the minor. The Department of State Police shall
18 provide by rule the process for access, review, and Request for
19 Expungement of Juvenile Law Enforcement Records.

20 (1.7) Nothing in subsections (1.5) and (1.6) of this
21 Section precludes a person from filing a petition under
22 subsection (1) for expungement of records subject to automatic
23 expungement under subsection (1.5) or (1.6) of this Section.

24 (1.8) For the purposes of subsections (1.5) and (1.6) of
25 this Section, "eligible offense" means records relating to an
26 arrest or incident occurring before the person's 18th birthday

1 that if committed by an adult is not an offense classified as a
2 Class 2 felony or higher offense, an offense under Article 11
3 of the Criminal Code of 1961 or the Criminal Code of 2012, or
4 an offense under Section 12-13, 12-14, 12-14.1, 12-15, or 12-16
5 of the Criminal Code of 1961.

6 (1.9) Upon adjudication of a person as a delinquent minor
7 for an act if committed by an adult would be a non-violent
8 crime, the person may petition the court for automatic
9 expungement of law enforcement records and juvenile court
10 records relating to the incident that was a non-violent crime
11 and that occurred before his or her 18th birthday, if the minor
12 was placed under supervision under Section 5-615 of this Act
13 and pays the required fees for expungement of his or her
14 records relating to the incident. If all juvenile court
15 proceedings relating to that incident have been terminated,
16 supervision has been successfully completed, and the minor has
17 not been charged with another crime since the disposition of
18 the non-violent charge, the court must expunge all law
19 enforcement records and juvenile court records relating to the
20 incident that was a non-violent crime.

21 (2) Any person may petition the court to expunge all law
22 enforcement records relating to any incidents occurring before
23 his or her 18th birthday which did not result in proceedings in
24 criminal court and all juvenile court records with respect to
25 any adjudications except those based upon first degree murder
26 and sex offenses which would be felonies if committed by an

1 adult, if the person for whom expungement is sought has had no
2 convictions for any crime since his or her 18th birthday and:

3 (a) has attained the age of 21 years; or

4 (b) 5 years have elapsed since all juvenile court
5 proceedings relating to him or her have been terminated or
6 his or her commitment to the Department of Juvenile Justice
7 pursuant to this Act has been terminated;

8 whichever is later of (a) or (b). Nothing in this Section 5-915
9 precludes a minor from obtaining expungement under Section
10 5-622.

11 (2.5) If a minor is arrested and no petition for
12 delinquency is filed with the clerk of the circuit court as
13 provided in paragraph (a) of subsection (1) at the time the
14 minor is released from custody, the youth officer, if
15 applicable, or other designated person from the arresting
16 agency, shall notify verbally and in writing to the minor or
17 the minor's parents or guardians that if the State's Attorney
18 does not file a petition for delinquency, the minor has a right
19 to petition to have his or her arrest record expunged when the
20 minor attains the age of 18 or when all juvenile court
21 proceedings relating to that minor have been terminated and
22 that unless a petition to expunge is filed, the minor shall
23 have an arrest record and shall provide the minor and the
24 minor's parents or guardians with an expungement information
25 packet, including a petition to expunge juvenile records
26 obtained from the clerk of the circuit court.

1 (2.6) If a minor is charged with an offense and is found
2 not delinquent of that offense; or if a minor is placed under
3 supervision under Section 5-615, and the order of supervision
4 is successfully terminated; or if a minor is adjudicated for an
5 offense that would be a Class B misdemeanor, a Class C
6 misdemeanor, or a business or petty offense if committed by an
7 adult; or if a minor has incidents occurring before his or her
8 18th birthday that have not resulted in proceedings in criminal
9 court, or resulted in proceedings in juvenile court, and the
10 adjudications were not based upon first degree murder or sex
11 offenses that would be felonies if committed by an adult; then
12 at the time of sentencing or dismissal of the case, the judge
13 shall inform the delinquent minor of his or her right to
14 petition for expungement as provided by law, and the clerk of
15 the circuit court shall provide an expungement information
16 packet to the delinquent minor, written in plain language,
17 including a petition for expungement, a sample of a completed
18 petition, expungement instructions that shall include
19 information informing the minor that (i) once the case is
20 expunged, it shall be treated as if it never occurred, (ii) he
21 or she may apply to have petition fees waived, (iii) once he or
22 she obtains an expungement, he or she may not be required to
23 disclose that he or she had a juvenile record, and (iv) he or
24 she may file the petition on his or her own or with the
25 assistance of an attorney. The failure of the judge to inform
26 the delinquent minor of his or her right to petition for

1 expungement as provided by law does not create a substantive
 2 right, nor is that failure grounds for: (i) a reversal of an
 3 adjudication of delinquency, (ii) a new trial; or (iii) an
 4 appeal.

5 (2.7) For counties with a population over 3,000,000, the
 6 clerk of the circuit court shall send a "Notification of a
 7 Possible Right to Expungement" post card to the minor at the
 8 address last received by the clerk of the circuit court on the
 9 date that the minor attains the age of 18 based on the
 10 birthdate provided to the court by the minor or his or her
 11 guardian in cases under paragraphs (b), (c), and (d) of
 12 subsection (1); and when the minor attains the age of 21 based
 13 on the birthdate provided to the court by the minor or his or
 14 her guardian in cases under subsection (2).

15 (2.8) The petition for expungement for subsection (1) may
 16 include multiple offenses on the same petition and shall be
 17 substantially in the following form:

18 IN THE CIRCUIT COURT OF, ILLINOIS
 19 JUDICIAL CIRCUIT

20 IN THE INTEREST OF) NO.
 21)
 22)
 23)
 24 (Name of Petitioner)

PETITION TO EXPUNGE JUVENILE RECORDS

(705 ILCS 405/5-915 (SUBSECTION 1))

Now comes, petitioner, and respectfully requests that this Honorable Court enter an order expunging all juvenile law enforcement and court records of petitioner and in support thereof states that: Petitioner has attained the age of 18, his/her birth date being, or all Juvenile Court proceedings terminated as of, whichever occurred later. Petitioner was arrested on by the Police Department for the offense or offenses of, and:

(Check All That Apply:)

() a. no petition or petitions were filed with the Clerk of the Circuit Court.

() b. was charged with and was found not delinquent of the offense or offenses.

() c. a petition or petitions were filed and the petition or petitions were dismissed without a finding of delinquency on

() d. on placed under supervision pursuant to Section 5-615 of the Juvenile Court Act of 1987 and such order of supervision successfully terminated on

() e. was adjudicated for the offense or offenses, which would have been a Class B misdemeanor, a Class C misdemeanor, or a petty offense or business offense if committed by an adult.

Petitioner has has not been arrested on charges in this or any county other than the charges listed above. If

1 petitioner has been arrested on additional charges, please list
2 the charges below:

3 Charge(s):

4 Arresting Agency or Agencies:

5 Disposition/Result: (choose from a. through e., above):

6 WHEREFORE, the petitioner respectfully requests this Honorable
7 Court to (1) order all law enforcement agencies to expunge all
8 records of petitioner to this incident or incidents, and (2) to
9 order the Clerk of the Court to expunge all records concerning
10 the petitioner regarding this incident or incidents.

11
12 Petitioner (Signature)

13
14 Petitioner's Street Address

15
16 City, State, Zip Code

17
18 Petitioner's Telephone Number

19 Pursuant to the penalties of perjury under the Code of Civil
20 Procedure, 735 ILCS 5/1-109, I hereby certify that the
21 statements in this petition are true and correct, or on

1 information and belief I believe the same to be true.

2

3 Petitioner (Signature)

4 The Petition for Expungement for subsection (2) shall be
5 substantially in the following form:

6 IN THE CIRCUIT COURT OF, ILLINOIS

7 JUDICIAL CIRCUIT

8 IN THE INTEREST OF) NO.

9)

10)

11)

12 (Name of Petitioner)

13 PETITION TO EXPUNGE JUVENILE RECORDS

14 (705 ILCS 405/5-915 (SUBSECTION 2))

15 (Please prepare a separate petition for each offense)

16 Now comes, petitioner, and respectfully requests
17 that this Honorable Court enter an order expunging all Juvenile
18 Law Enforcement and Court records of petitioner and in support
19 thereof states that:

20 The incident for which the Petitioner seeks expungement
21 occurred before the Petitioner's 18th birthday and did not
22 result in proceedings in criminal court and the Petitioner has

1 not had any convictions for any crime since his/her 18th
2 birthday; and

3 The incident for which the Petitioner seeks expungement
4 occurred before the Petitioner's 18th birthday and the
5 adjudication was not based upon first-degree murder or sex
6 offenses which would be felonies if committed by an adult, and
7 the Petitioner has not had any convictions for any crime since
8 his/her 18th birthday.

9 Petitioner was arrested on by the Police
10 Department for the offense of, and:

11 (Check whichever one occurred the latest:)

12 () a. The Petitioner has attained the age of 21 years, his/her
13 birthday being; or

14 () b. 5 years have elapsed since all juvenile court
15 proceedings relating to the Petitioner have been terminated; or
16 the Petitioner's commitment to the Department of Juvenile
17 Justice pursuant to the expungement of juvenile law enforcement
18 and court records provisions of the Juvenile Court Act of 1987
19 has been terminated. Petitioner ...has ...has not been arrested
20 on charges in this or any other county other than the charge
21 listed above. If petitioner has been arrested on additional
22 charges, please list the charges below:

23 Charge(s):

24 Arresting Agency or Agencies:

25 Disposition/Result: (choose from a or b, above):

26 WHEREFORE, the petitioner respectfully requests this Honorable

1 Court to (1) order all law enforcement agencies to expunge all
 2 records of petitioner related to this incident, and (2) to
 3 order the Clerk of the Court to expunge all records concerning
 4 the petitioner regarding this incident.

5
 6 Petitioner (Signature)

7
 8 Petitioner's Street Address

9
 10 City, State, Zip Code

11
 12 Petitioner's Telephone Number

13 Pursuant to the penalties of perjury under the Code of Civil
 14 Procedure, 735 ILCS 5/1-109, I hereby certify that the
 15 statements in this petition are true and correct, or on
 16 information and belief I believe the same to be true.

17
 18 Petitioner (Signature)

19 (3) The chief judge of the circuit in which an arrest was
 20 made or a charge was brought or any judge of that circuit
 21 designated by the chief judge may, upon verified petition of a
 22 person who is the subject of an arrest or a juvenile court

1 proceeding under subsection (1) or (2) of this Section, order
2 the law enforcement records or official court file, or both, to
3 be expunged from the official records of the arresting
4 authority, the clerk of the circuit court and the Department of
5 State Police. The person whose records are to be expunged shall
6 petition the court using the appropriate form containing his or
7 her current address and shall promptly notify the clerk of the
8 circuit court of any change of address. Notice of the petition
9 shall be served upon the State's Attorney or prosecutor charged
10 with the duty of prosecuting the offense, the Department of
11 State Police, and the arresting agency or agencies by the clerk
12 of the circuit court. If an objection is filed within 45 days
13 of the notice of the petition, the clerk of the circuit court
14 shall set a date for hearing after the 45 day objection period.
15 At the hearing the court shall hear evidence on whether the
16 expungement should or should not be granted. Unless the State's
17 Attorney or prosecutor, the Department of State Police, or an
18 arresting agency objects to the expungement within 45 days of
19 the notice, the court may enter an order granting expungement.
20 The person whose records are to be expunged shall pay the clerk
21 of the circuit court a fee equivalent to the cost associated
22 with expungement of records by the clerk and the Department of
23 State Police. The clerk shall forward a certified copy of the
24 order to the Department of State Police, the appropriate
25 portion of the fee to the Department of State Police for
26 processing, and deliver a certified copy of the order to the

1 arresting agency.

2 (3.1) The Notice of Expungement shall be in substantially
3 the following form:

4 IN THE CIRCUIT COURT OF, ILLINOIS
5 JUDICIAL CIRCUIT

6 IN THE INTEREST OF) NO.
7)
8)
9)
10 (Name of Petitioner)

11 NOTICE

12 TO: State's Attorney

13 TO: Arresting Agency

14
15

16

17
18

19

20 TO: Illinois State Police

21
22

23

24

1 ATTENTION: Expungement

2 You are hereby notified that on, at, in courtroom
3 ..., located at ..., before the Honorable ..., Judge, or any
4 judge sitting in his/her stead, I shall then and there present
5 a Petition to Expunge Juvenile records in the above-entitled
6 matter, at which time and place you may appear.

7

8 Petitioner's Signature

9

10 Petitioner's Street Address

11

12 City, State, Zip Code

13

14 Petitioner's Telephone Number

15 PROOF OF SERVICE

16 On the day of, 20..., I on oath state that I
17 served this notice and true and correct copies of the
18 above-checked documents by:

19 (Check One:)

20 delivering copies personally to each entity to whom they are
21 directed;

22 or

23 by mailing copies to each entity to whom they are directed by
24 depositing the same in the U.S. Mail, proper postage fully
25 prepaid, before the hour of 5:00 p.m., at the United States
26 Postal Depository located at

1
2

3 Signature

4 Clerk of the Circuit Court or Deputy Clerk

5 Printed Name of Delinquent Minor/Petitioner:

6 Address:

7 Telephone Number:

8 (3.2) The Order of Expungement shall be in substantially
9 the following form:

10 IN THE CIRCUIT COURT OF, ILLINOIS
11 JUDICIAL CIRCUIT

12 IN THE INTEREST OF) NO.
13)
14)
15)
16 (Name of Petitioner)

17 DOB

18 Arresting Agency/Agencies

19 ORDER OF EXPUNGEMENT

20 (705 ILCS 405/5-915 (SUBSECTION 3))

21 This matter having been heard on the petitioner's motion and
22 the court being fully advised in the premises does find that
23 the petitioner is indigent or has presented reasonable cause to
24 waive all costs in this matter, IT IS HEREBY ORDERED that:

1 () 1. Clerk of Court and Department of State Police costs
2 are hereby waived in this matter.

3 () 2. The Illinois State Police Bureau of Identification
4 and the following law enforcement agencies expunge all records
5 of petitioner relating to an arrest dated for the
6 offense of

7 Law Enforcement Agencies:

8

9

10 () 3. IT IS FURTHER ORDERED that the Clerk of the Circuit
11 Court expunge all records regarding the above-captioned case.

12 ENTER:

13

14 JUDGE

15 DATED:

16 Name:

17 Attorney for:

18 Address: City/State/Zip:

19 Attorney Number:

20 (3.3) The Notice of Objection shall be in substantially the
21 following form:

22 IN THE CIRCUIT COURT OF, ILLINOIS

23 JUDICIAL CIRCUIT

24 IN THE INTEREST OF) NO.

25)

1)
 2)
 3 (Name of Petitioner)

NOTICE OF OBJECTION

4
 5 TO: (Attorney, Public Defender, Minor)
 6

7

8 TO: (Illinois State Police)
 9

10

11 TO: (Clerk of the Court)
 12

13

14 TO: (Judge)
 15

16

17 TO: (Arresting Agency/Agencies)
 18

19

20 ATTENTION: You are hereby notified that an objection has been
 21 filed by the following entity regarding the above-named minor's
 22 petition for expungement of juvenile records:

- 23 () State's Attorney's Office;
- 24 () Prosecutor (other than State's Attorney's Office) charged
- 25 with the duty of prosecuting the offense sought to be expunged;

1 () Department of Illinois State Police; or

2 () Arresting Agency or Agencies.

3 The agency checked above respectfully requests that this case
4 be continued and set for hearing on whether the expungement
5 should or should not be granted.

6 DATED:

7 Name:

8 Attorney For:

9 Address:

10 City/State/Zip:

11 Telephone:

12 Attorney No.:

13 FOR USE BY CLERK OF THE COURT PERSONNEL ONLY

14 This matter has been set for hearing on the foregoing
15 objection, on in room, located at, before the
16 Honorable, Judge, or any judge sitting in his/her stead.

17 (Only one hearing shall be set, regardless of the number of
18 Notices of Objection received on the same case).

19 A copy of this completed Notice of Objection containing the
20 court date, time, and location, has been sent via regular U.S.
21 Mail to the following entities. (If more than one Notice of
22 Objection is received on the same case, each one must be
23 completed with the court date, time and location and mailed to
24 the following entities):

25 () Attorney, Public Defender or Minor;

26 () State's Attorney's Office;

1 () Prosecutor (other than State's Attorney's Office) charged
2 with the duty of prosecuting the offense sought to be expunged;
3 () Department of Illinois State Police; and
4 () Arresting agency or agencies.

5 Date:

6 Initials of Clerk completing this section:

7 (4) Upon entry of an order expunging records or files, the
8 offense, which the records or files concern shall be treated as
9 if it never occurred. Law enforcement officers and other public
10 offices and agencies shall properly reply on inquiry that no
11 record or file exists with respect to the person.

12 (5) Records which have not been expunged are sealed, and
13 may be obtained only under the provisions of Sections 5-901,
14 5-905 and 5-915.

15 (6) Nothing in this Section shall be construed to prohibit
16 the maintenance of information relating to an offense after
17 records or files concerning the offense have been expunged if
18 the information is kept in a manner that does not enable
19 identification of the offender. This information may only be
20 used for statistical and bona fide research purposes.

21 (6.5) The Department of State Police or any employee of the
22 Department shall be immune from civil or criminal liability for
23 failure to expunge any records of arrest that are subject to
24 expungement under subsection (1.5) or (1.6) of this Section
25 because of inability to verify a record. Nothing in subsection
26 (1.5) or (1.6) of this Section shall create Department of State

1 Police liability or responsibility for the expungement of law
2 enforcement records it does not possess.

3 (7) (a) The State Appellate Defender shall establish,
4 maintain, and carry out, by December 31, 2004, a juvenile
5 expungement program to provide information and assistance to
6 minors eligible to have their juvenile records expunged.

7 (b) The State Appellate Defender shall develop brochures,
8 pamphlets, and other materials in printed form and through the
9 agency's World Wide Web site. The pamphlets and other materials
10 shall include at a minimum the following information:

11 (i) An explanation of the State's juvenile expungement
12 process;

13 (ii) The circumstances under which juvenile
14 expungement may occur;

15 (iii) The juvenile offenses that may be expunged;

16 (iv) The steps necessary to initiate and complete the
17 juvenile expungement process; and

18 (v) Directions on how to contact the State Appellate
19 Defender.

20 (c) The State Appellate Defender shall establish and
21 maintain a statewide toll-free telephone number that a person
22 may use to receive information or assistance concerning the
23 expungement of juvenile records. The State Appellate Defender
24 shall advertise the toll-free telephone number statewide. The
25 State Appellate Defender shall develop an expungement
26 information packet that may be sent to eligible persons seeking

1 expungement of their juvenile records, which may include, but
2 is not limited to, a pre-printed expungement petition with
3 instructions on how to complete the petition and a pamphlet
4 containing information that would assist individuals through
5 the juvenile expungement process.

6 (d) The State Appellate Defender shall compile a statewide
7 list of volunteer attorneys willing to assist eligible
8 individuals through the juvenile expungement process.

9 (e) This Section shall be implemented from funds
10 appropriated by the General Assembly to the State Appellate
11 Defender for this purpose. The State Appellate Defender shall
12 employ the necessary staff and adopt the necessary rules for
13 implementation of this Section.

14 (8) (a) Except with respect to law enforcement agencies, the
15 Department of Corrections, State's Attorneys, or other
16 prosecutors, an expunged juvenile record may not be considered
17 by any private or public entity in employment matters,
18 certification, licensing, revocation of certification or
19 licensure, or registration. Applications for employment must
20 contain specific language that states that the applicant is not
21 obligated to disclose expunged juvenile records of conviction
22 or arrest. Employers may not ask if an applicant has had a
23 juvenile record expunged. Effective January 1, 2005, the
24 Department of Labor shall develop a link on the Department's
25 website to inform employers that employers may not ask if an
26 applicant had a juvenile record expunged and that application

1 for employment must contain specific language that states that
2 the applicant is not obligated to disclose expunged juvenile
3 records of arrest or conviction.

4 (b) A person whose juvenile records have been expunged is
5 not entitled to remission of any fines, costs, or other money
6 paid as a consequence of expungement. This amendatory Act of
7 the 93rd General Assembly does not affect the right of the
8 victim of a crime to prosecute or defend a civil action for
9 damages.

10 (c) The expungement of juvenile records under Section 5-622
11 shall be funded by the additional fine imposed under Section
12 5-9-1.17 of the Unified Code of Corrections and additional
13 appropriations made by the General Assembly for such purpose.

14 (9) The changes made to this Section by Public Act 98-61
15 apply to law enforcement records of a minor who has been
16 arrested or taken into custody on or after January 1, 2014 (the
17 effective date of Public Act 98-61).

18 (10) The changes made in subsection (1.5) of this Section
19 by this amendatory Act of the 98th General Assembly apply to
20 law enforcement records of a minor who has been arrested or
21 taken into custody on or after January 1, 2015. The changes
22 made in subsection (1.6) of this Section by this amendatory Act
23 of the 98th General Assembly apply to law enforcement records
24 of a minor who has been arrested or taken into custody before
25 January 1, 2015.

26 (Source: P.A. 98-61, eff. 1-1-14; 98-637, eff. 1-1-15; 98-756,

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1 eff. 7-16-14.)