

## CHAPTER 19

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**CHILDREN AND DOMESTIC MATTERS**


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**HOUSE BILL 09-1044**

BY REPRESENTATIVE(S) Roberts, Apuan, Court, Curry, Ferrandino, Gardner B., Green, Kerr A., Labuda, Levy, Loooper, 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.

**AN ACT**

**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 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.

Approved: March 18, 2009

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