



## 1997 ASSEMBLY BILL 103

February 18, 1997 - Introduced by Representatives GOETSCH, WOOD, LADWIG, M. LEHMAN, PORTER, F. LASEE, SERATTI, OWENS, GROTHMAN, HAHN, ZIEGELBAUER, MUSSER, BRANDEMUEHL, AINSWORTH, NASS, OLSEN and OTT, cosponsored by Senators WELCH, FITZGERALD, WEEDEN and ROSENZWEIG. Referred to Committee on Criminal Justice and Corrections.

- 1     **AN ACT to amend** 938.355 (4m) of the statutes; **relating to:** expungement of the  
2             juvenile court's record of a person's delinquency adjudication.

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***Analysis by the Legislative Reference Bureau***

Under current law, a person who has been adjudicated delinquent may, on attaining 17 years of age, petition the court assigned to exercise jurisdiction under the juvenile justice code (juvenile court) to expunge the juvenile court's record of the person's delinquency adjudication. The juvenile court may expunge that record if the juvenile court determines that the person has satisfactorily complied with the conditions of his or her dispositional order and that the person will benefit and society will not be harmed by the expungement. This bill raises to 25 the age at which a person who has committed a delinquent act that would be a felony if committed by an adult may petition the juvenile court for expungement of his or her juvenile court record. The bill also changes the determination that the juvenile court must make before the court may expunge a person's juvenile court record from determining that the person has satisfactorily complied with the conditions of his or her dispositional order to determining that the person has not been sanctioned for violating a condition of his or her dispositional order.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

- 3             **SECTION 1.** 938.355 (4m) of the statutes is amended to read:

**ASSEMBLY BILL 103****SECTION 1**

1           938.355 (4m) EXPUNGEMENT OF RECORD. A juvenile person who has been  
2 adjudged delinquent for committing an act that would be a misdemeanor if  
3 committed by an adult may, on attaining 17 years of age, petition the court to  
4 expunge the court's record of the juvenile's person's adjudication. A person who has  
5 been adjudged delinquent for committing an act that would be a felony if committed  
6 by an adult may, on attaining 25 years of age, petition the court to expunge the court's  
7 record of the person's adjudication. The court may expunge the court's record of the  
8 juvenile's person's adjudication if the court determines that the juvenile person has  
9 satisfactorily complied with the conditions not been sanctioned under s. 938.355 (6)  
10 (a) for violating a condition of his or her dispositional order and that the juvenile  
11 person will benefit and society will not be harmed by the expungement.

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(END)