

1
 2 INTRODUCED BY ~~Mr. [unclear]~~ *SENATOR* ^{HOUSE} BILL NO. *246*
 3 *TEAGUE VINCENT* *Mr. Fadden Robbins*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE
 5 DESTRUCTION OF CERTAIN JUVENILE RECORDS; AMENDING SECTION
 6 10-1232, R.C.M. 1947."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 10-1232, R.C.M. 1947, is amended to
10 read as follows:

11 "10-1232. Disposition of records. (1) All court
12 findings, orders, judgments and the legal and social files
13 and records of the court, probation services and law
14 enforcement agencies pertaining to a youth coming under this
15 act shall be physically sealed when the youth reaches the
16 age of eighteen (18) years.

17 (2) In those cases in which jurisdiction of the court
18 or any agency is extended beyond the youth's eighteenth
19 birthday the above records and files shall be physically
20 sealed upon termination of the extended jurisdiction.

21 (3) Youth court records, probation officer's records,
22 and all other reports of social and clinical studies shall
23 not be opened to inspection except by consent of the court
24 or the youth, upon petition to the youth court.

25 (4) Upon the physical sealing of the records

1 pertaining to a youth pursuant to this section any agency or
2 department that has in its possession copies of the records
3 so sealed shall also seal or destroy such copies of records.
4 Anyone violating the provisions of this subsection shall be
5 subject to contempt of court.

6 (5) Nothing herein contained shall prohibit the
7 destruction of such records with the consent of the youth
8 court judge or county attorney after ten (10) years from the
9 date of sealing. The records of youths who were
10 twenty-eight (28) years old or older on July 1, 1974, may be
11 destroyed with the consent of the youth court judge or
12 county attorney.

13 (6) This section shall not apply to youth traffic
14 records."

-End-

Approved by Committee
on Judiciary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Handwritten: ~~Mr. Vincent~~ *Mr. Fadden* *Mr. Robbins*
TEAGUE VINCENT
Doyle

BILL NO 246

INTRODUCED BY ~~Mr. Vincent~~ *Mr. Fadden* *Mr. Robbins*
A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE
DESTRUCTION OF CERTAIN JUVENILE RECORDS; AMENDING SECTION
10-1232, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 10-1232, R.C.M. 1947, is amended to
read as follows:

"10-1232. Disposition of records. (1) All court
findings, orders, judgments and the legal and social files
and records of the court, probation services and law
enforcement agencies pertaining to a youth coming under this
act shall be physically sealed when the youth reaches the
age of eighteen (18) years.

(2) In those cases in which jurisdiction of the court
or any agency is extended beyond the youth's eighteenth
birthday the above records and files shall be physically
sealed upon termination of the extended jurisdiction.

(3) Youth court records, probation officer's records,
and all other reports of social and clinical studies shall
not be opened to inspection except by consent of the court
or the youth, upon petition to the youth court.

(4) Upon the physical sealing of the records

1
2
3
4
5
6
7
8
9
10
11
12
13
14

pertaining to a youth pursuant to this section any agency or
department that has in its possession copies of the records
so sealed shall also seal or destroy such copies of records.
Anyone violating the provisions of this subsection shall be
subject to contempt of court.

(5) Nothing herein contained shall prohibit the
destruction of such records with the consent of the youth
court judge or county attorney after ten (10) years from the
date of sealing. The records of youths who were
twenty-eight (28) years old or older on July 1, 1974, may be
destroyed with the consent of the youth court judge or
county attorney.

(6) This section shall not apply to youth traffic
records."

-End-

1
 2 INTRODUCED BY *Shane* BILL NO. *246*
 3 *TEAGUE VINCENT*
 4 *M. Fadden Bobbin Day*

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE
 6 DESTRUCTION OF CERTAIN JUVENILE RECORDS; AMENDING SECTION
 7 10-1232, R.C.M. 1947."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 10-1232, R.C.M. 1947, is amended to
 10 read as follows:

11 "10-1232. Disposition of records. (1) All court
 12 findings, orders, judgments and the legal and social files
 13 and records of the court, probation services and law
 14 enforcement agencies pertaining to a youth coming under this
 15 act shall be physically sealed when the youth reaches the
 16 age of eighteen (18) years.

17 (2) In those cases in which jurisdiction of the court
 18 or any agency is extended beyond the youth's eighteenth
 19 birthday the above records and files shall be physically
 20 sealed upon termination of the extended jurisdiction.

21 (3) Youth court records, probation officer's records,
 22 and all other reports of social and clinical studies shall
 23 not be opened to inspection except by consent of the court
 24 or the youth, upon petition to the youth court.

25 (4) Upon the physical sealing of the records

1 pertaining to a youth pursuant to this section any agency or
 2 department that has in its possession copies of the records
 3 so sealed shall also seal or destroy such copies of records.
 4 Anyone violating the provisions of this subsection shall be
 5 subject to contempt of court.

6 (5) Nothing herein contained shall prohibit the
 7 destruction of such records with the consent of the youth
 8 court judge or county attorney after ten (10) years from the
 9 date of sealing. The records of youths who were
 10 twenty-eight (28) years old or older on July 1, 1974, may be
 11 destroyed with the consent of the youth court judge or
 12 county attorney.

13 (6) This section shall not apply to youth traffic
 14 records."

-End-

HB 246

HOUSE BILL NO. 246

INTRODUCED BY JAMES MOORE, JACOBSEN, MCFADDEN,
ROBBINS, TEAGUE, VINCENT, DAY

A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE
DESTRUCTION OF CERTAIN JUVENILE RECORDS; AMENDING SECTION
10-1232, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 10-1232, R.C.M. 1947, is amended to
read as follows:

"10-1232. Disposition of records. (1) All court
findings, orders, judgments and the legal and social files
and records of the court, probation services and law
enforcement agencies pertaining to a youth coming under this
act shall be physically sealed when the youth reaches the
age of eighteen (18) years.

(2) In those cases in which jurisdiction of the court
or any agency is extended beyond the youth's eighteenth
birthday the above records and files shall be physically
sealed upon termination of the extended jurisdiction.

(3) Youth court records, probation officer's records,
and all other reports of social and clinical studies shall
not be opened to inspection except by consent of the court
or the youth, upon petition to the youth court.

(4) Upon the physical sealing of the records
pertaining to a youth pursuant to this section any agency or
department that has in its possession copies of the records
so sealed shall also seal or destroy such copies of records.
Anyone violating the provisions of this subsection shall be
subject to contempt of court.

(5) Nothing herein contained shall prohibit the
destruction of such records with the consent of the youth
court judge or county attorney after ten (10) years from the
date of sealing. The records of youths who were
twenty-eight (28) years old or older on July 1, 1974, may be
destroyed with the consent of the youth court judge or
county attorney.

(6) This section shall not apply to youth traffic
records."

-End-