

A bill for an act
relating to public safety; modifying the retention of juvenile adjudication history;
amending Minnesota Statutes 2006, section 299C.095, subdivision 2.

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

Section 1. Minnesota Statutes 2006, section 299C.095, subdivision 2, is amended to
read:

Subd. 2. **Retention.** (a) Notwithstanding section 138.17, the bureau shall retain
juvenile history records for the time periods provided in this subdivision. Notwithstanding
contrary provisions of paragraphs (b) to (e), all data in a juvenile history record must
be retained for the longest time period applicable to any item in the individual juvenile
history record. If, before data are destroyed under this subdivision, the subject of the
data is convicted of a felony as an adult, the individual's juvenile history record must be
retained for the same time period as an adult criminal history record.

(b) Juvenile history data on a child who was arrested must be destroyed ~~six months~~
one year after the arrest if the child has not been referred to a diversion program and no
petition has been filed against the child by that time.

(c) Juvenile history data on a child against whom a delinquency petition was filed
and subsequently dismissed must be destroyed upon receiving notice from the court that
the petition was dismissed.

(d) Juvenile history data on a child who was referred to a diversion program or
against whom a delinquency petition has been filed and continued for dismissal must be
destroyed when the child reaches age 21.

(e) Juvenile history data on a child against whom a delinquency petition was filed
and continued without adjudication, or a child who was found to have committed a felony

or gross misdemeanor-level offense, must be destroyed when the child reaches age 28. If the offender commits a felony violation as an adult, the bureau shall retain the data for as long as the data would have been retained if the offender had been an adult at the time of the juvenile offense.

(f) The bureau shall retain extended jurisdiction juvenile data on an individual received under section 260B.171, subdivision 2, paragraph (c), for as long as the data would have been retained if the offender had been an adult at the time of the offense.

(g) Data retained on individuals under this subdivision are private data under section 13.02, except that extended jurisdiction juvenile data become public data under section 13.87, subdivision 2, when the juvenile court notifies the bureau that the individual's adult sentence has been executed under section 260B.130, subdivision 5.

(h) A person who receives data on a juvenile under paragraphs (b) to (e) from the bureau shall destroy the data according to the schedule in this subdivision, unless the person has access to the data under other law. The bureau shall include a notice of the destruction schedule with all data it disseminates on juveniles.