

2024 -- H 8154 AS AMENDED

=====
LC005837
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- FAMILY COURT

Introduced By: Representatives Knight, Caldwell, Boylan, Cortvriend, Donovan, Tanzi,
Speakman, Kazarian, McEntee, and Craven

Date Introduced: April 10, 2024

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 8-10-21 of the General Laws in Chapter 8-10 entitled "Family Court"
2 is hereby amended to read as follows:

3 **8-10-21. Records of court.**

4 The records of the family court shall be public records, except that records of hearings in
5 matters set forth in § 14-1-5, together with stenographic notes and transcripts of those hearings,
6 shall not be available for public inspection unless the court shall otherwise order. Notwithstanding
7 the foregoing provisions, the records of the family court in criminal matters involving adults shall
8 be public records. The record of delinquent or wayward adjudications of juveniles may be accessed
9 by law enforcement personnel to be used for law enforcement purposes only and shall remain
10 otherwise confidential. [Additionally, records relating to the arrest, detention, apprehension and](#)
11 [disposition of the juvenile shall be made available to the National Instant Criminal Background](#)
12 [Check System in connection with a background check conducted on a person under twenty-one](#)
13 [\(21\) years of age pursuant to 18 U.S.C. § 922\(t\)\(1\)\(C\) and 34 U.S.C. § 40901\(1\).](#) The Attorney
14 General shall promulgate rules and regulations necessary to facilitate the purposes of this section.

15 SECTION 2. Section 14-1-64 of the General Laws in Chapter 14-1 entitled "Proceedings
16 in Family Court" is hereby amended to read as follows:

17 **14-1-64. Disposition of juvenile records.**

18 (a) All police records relating to the arrest, detention, apprehension, and disposition of any
19 juveniles shall be kept in files separate and apart from the arrest records of adults and shall be

1 withheld from public inspection, but the police report relating to the arrest or detention of a juvenile
2 shall be open to inspection and copying upon request and upon payment of copying costs in
3 accordance with § 38-2-4 by the parent, guardian, or attorney of the juvenile involved. After
4 disposition of an offense and upon execution of an appropriate release and upon payment of
5 copying costs in accordance with § 38-2-4 by the parent, guardian or attorney of the juvenile
6 involved, records relating to the arrest, detention, apprehension and disposition of the juveniles
7 shall be open to inspection and copying by the parent, guardian, or attorney of the juvenile involved.
8 [Additionally, records relating to the arrest, detention, apprehension and disposition of the juvenile](#)
9 [shall be made available to the National Instant Criminal Background Check System in connection](#)
10 [with a background check conducted on a person under twenty-one \(21\) years of age pursuant to 18](#)
11 [U.S.C. § 922\(t\)\(1\)\(C\) and 34 U.S.C. § 40901\(1\).](#)

12 (b) Notwithstanding subsection (a) of this section, the identity of any juvenile waived
13 pursuant to § 14-1-7.1 or certified and convicted pursuant to § 14-1-7.2 shall be made public.

14 SECTION 3. This act shall take effect upon passage.

=====
LC005837
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO COURTS AND CIVIL PROCEDURE -- FAMILY COURT

1 This act would permit the family court to disclose criminal records of juvenile offenders to
2 the National Instant Criminal Background Check System for the purposes of background check
3 conducted when an individual attempts to purchase a firearm.

4 This act would take effect upon passage.

=====
LC005837
=====