

Disqualifying Charges for Sealing/Expungement

Except for certain specified offenses, the record of an arrest may be sealed when adjudication is withheld, if otherwise eligible. The offenses which may not be sealed (or expunged even if previously sealed for 10 years) when (i.e., even if) adjudication is withheld under current law are:

Offenses listed in [Section 943.0584, Florida Statutes](#)

- (a) Sexual misconduct, as defined in s. 393.135, s. 3457 394.4593, or s. 916.1075;
- (b) Illegal use of explosives, as defined in chapter 552;
- (c) Terrorism, as defined in s. 775.30;
- (d) Murder, as defined in s. 782.04, s. 782.065, or s. 782.09;
- (e) Manslaughter or homicide, as defined in s. 782.07, s. 3463 782.071, or s. 782.072;
- (f) Assault or battery, as defined in ss. 784.011 and 784.03, respectively, of one family or household member by another family or household member, as defined in s. 741.28(3);
- (g) Aggravated assault, as defined in s. 784.021;
- (h) Felony battery, domestic battery by strangulation, or aggravated battery, as defined in s. 784.03, s. 784.041, and s. 784.045, respectively;
- (i) Stalking or aggravated stalking, as defined in s. 784.048;
- (j) Luring or enticing a child, as defined in s. 787.025;
- (k) Human trafficking, as defined in s. 787.06;
- (l) Kidnapping or false imprisonment, as defined in s. 787.01 or s. 787.02;
- (m) Any offense defined in chapter 794;
- (n) Procuring a person less than 18 years of age for prostitution, as defined in former s. 796.03;
- (o) Lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age, as defined in s. 800.04;
- (p) Arson, as defined in s. 806.01;
- (q) Burglary of a dwelling, as defined in s. 810.02;
- (r) Voyeurism or video voyeurism, as defined in s. 810.14 and s. 810.145, respectively;
- (s) Robbery or robbery by sudden snatching, as defined in s. 812.13 and s. 812.131, respectively;
- (t) Carjacking, as defined in s. 812.133;
- (u) Home-invasion robbery, as defined in s. 812.135;
- (v) A violation of the Florida Communications Fraud Act, as provided in s. 817.034;
- (w) Abuse of an elderly person or disabled adult, or aggravated abuse of an elderly person or disabled adult, as defined in s. 825.102;
- (x) Lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person, as defined in s. 825.1025;
- (y) Child abuse or aggravated child abuse, as defined in s. 827.03;
- (z) Sexual performance by a child, as defined in s. 827.071;
- (aa) Any offense defined in chapter 839;
- (bb) Certain acts in connection with obscenity, as defined in s. 847.0133;
- (cc) Any offense defined in s. 847.0135;
- (dd) Selling or buying of minors, as defined in s. 847.0145;
- (ee) Aircraft piracy, as defined in s. 860.16;
- (ff) Manufacturing a controlled substance in violation of chapter 893;
- (gg) Drug trafficking, as defined in s. 893.135; or
- (hh) Any violation specified as a predicate offense for registration as a sexual predator

pursuant to s. 775.21, or sexual offender pursuant to s. 943.0435, without regard to whether that offense alone is sufficient to require such registration.