

State of Arkansas *As Engrossed: S3/21/13 S4/2/13 H4/6/13*
89th General Assembly **A Bill**
Regular Session, 2013

SENATE BILL 932

By: Senator Burnett

By: Representatives Williams, Steel

For An Act To Be Entitled

AN ACT CONCERNING ELIGIBILITY TO FILE A UNIFORM
PETITION TO SEAL A MISDEMEANOR OFFENSE OR VIOLATION;
AND FOR OTHER PURPOSES.

Subtitle

CONCERNING ELIGIBILITY TO FILE A UNIFORM
PETITION TO SEAL A MISDEMEANOR OFFENSE OR
VIOLATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 16, Chapter 90, Subchapter 9, is amended to add a new section to read as follows:

16-90-907. Eligibility to file a uniform petition to seal a misdemeanor offense or violation.

(a) A person is eligible to file a uniform petition under this subchapter to seal his or her record of a misdemeanor or violation sixty (60) days after:

(1) The completion of his or her sentence for the misdemeanor or violation, including full payment of restitution;

(2) Full payment of court costs; and

(3) Full payment of driver's license suspension reinstatement fees, if a driver's license suspension reinstatement fee was assessed as a result of the person's arrest or conviction for the misdemeanor or violation.

(b) There is not a limit to the number of times a person may file a uniform petition to seal his or her record of a misdemeanor or violation,



except that the person may not file:

(1) A new uniform petition to seal a criminal offense listed in § 16-90-904(a)(2)(A) until after a period of five (5) years has elapsed since the completion of the person's sentence for the conviction;

(2) A new uniform petition to seal a criminal offense listed in § 16-90-904(a)(2)(A) before one (1) year from the date of the order denying the previous uniform petition;

(3) A new uniform petition to seal any other misdemeanor or violation before ninety (90) days from the date of an order denying a uniform petition to seal the misdemeanor or violation;

(4) A new uniform petition to seal a misdemeanor or violation under this section if an appeal of a previous denial of a uniform petition to seal a misdemeanor or violation for the same misdemeanor or violation is still pending; or

(5) A new uniform petition to seal a misdemeanor or violation under this section if:

(A) The person was a holder of a commercial driver license or commercial learner's permit at the time the misdemeanor or violation was committed; and

(B) The misdemeanor or violation was a traffic offense, other than a parking violation, vehicle weight violation, or vehicle defect violation, committed in any type of motor vehicle.

(c) Except as provided in subsection (b) of this section, a person is eligible to file a uniform petition to seal a misdemeanor or violation under this section even if his or her misdemeanor or violation occurred before the effective date of this act.

SECTION 2. EFFECTIVE DATE. This act is effective on and after January 1, 2014.

/s/Burnett

APPROVED: 04/17/2013