

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H2/24/21

# A Bill

HOUSE BILL 1329

By: Representative Bryant

By: Senator B. Ballinger

## For An Act To Be Entitled

AN ACT CONCERNING THE COMPREHENSIVE CRIMINAL RECORD  
SEALING ACT OF 2013; CONCERNING SEALING A FELONY  
CONTROLLED SUBSTANCE CONVICTION; AND FOR OTHER  
PURPOSES.

### Subtitle

CONCERNING THE COMPREHENSIVE CRIMINAL  
RECORD SEALING ACT OF 2013; AND  
CONCERNING SEALING A FELONY CONTROLLED  
SUBSTANCE CONVICTION.

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

SECTION 1. Arkansas Code § 16-90-1407 is amended to read as follows:

16-90-1407. Special procedures for sealing a felony controlled  
substance possession conviction.

A person may petition the court to seal a record of a felony conviction  
for possession of a controlled substance, § 5-64-419, or counterfeit  
substance, § 5-64-441, upon the completion of the person's sentence if, prior  
to sentencing:

(1) An intake officer appointed by the court, where applicable,  
determines that the person has a drug addiction and recommends the person as  
a candidate for residential drug treatment;

(2) The court places the person on probation and includes as  
part of the terms and conditions of the probation that:

(A) The person successfully complete a drug treatment



program approved by the court; and

(B) The person remain drug-free until successful completion of probation; and

(3) The person successfully completes the terms and conditions of the probation.

*/s/Bryant*

**APPROVED: 4/13/21**