

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly

A Bill

DRAFT CEB/CEB
SENATE BILL

By: Senator C. Tucker

For An Act To Be Entitled

AN ACT TO AMEND THE COMPREHENSIVE CRIMINAL RECORD
SEALING ACT OF 2013; TO ESTABLISH THE CLEAN SLATE
ACT; TO PROVIDE FOR THE AUTOMATIC SEALING OF CERTAIN
CRIMINAL RECORDS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE COMPREHENSIVE CRIMINAL
RECORD SEALING ACT OF 2013; TO ESTABLISH
THE CLEAN SLATE ACT; AND TO PROVIDE FOR
THE AUTOMATIC SEALING OF CERTAIN
CRIMINAL RECORDS.

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

SECTION 1. DO NOT CODIFY. Title.

This act shall be known and may be cited as the "Clean Slate Act".

SECTION 2. Arkansas Code § 16-90-1403, concerning the scope of the
Comprehensive Criminal Record Sealing Act of 2013, is amended to add an
additional subsection to read as follows:

(d) A court with jurisdiction shall seal a record under this
subchapter upon the receipt of a list of records eligible for sealing from
the Administrative Office of the Courts under § 16-90-1420.

SECTION 3. Arkansas Code Title 16, Chapter 90, Subchapter 14, is
amended to add an additional section to read as follows:

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1 16-90-1420. Automatic record sealing.

2 (a) In addition to the procedures for record sealing described in this
3 subchapter, the Administrative Office of the Courts shall establish a system
4 for the automatic identification and sealing of eligible records by January
5 1, 2030.

6 (b) After January 1, 2030, the Administrative Office of the Courts
7 shall, on a monthly basis:

8 (1)(A) Identify records that are eligible to be sealed under
9 this subchapter by conducting an electronic search of the criminal history
10 records in its possession.

11 (B) The eligibility determination shall only take into
12 account electronically identifiable data without regard to eligibility
13 factors contained in this subchapter that are not supported by information
14 contained electronically; and

15 (2) Provide each court with jurisdiction to seal the records a
16 list of the eligible records in the court's jurisdiction.

17 (c)(1) Upon receipt of the list of eligible records, the court shall
18 issue a uniform order to be entered and filed with the circuit court clerk or
19 district court clerk, as applicable.

20 (2) A court clerk with whom a uniform order is filed shall
21 certify copies of the uniform order to the prosecuting attorney who filed the
22 underlying charges, the arresting agency, the Arkansas Crime Information
23 Center, and, if applicable, any district court where the person appeared
24 before the transfer or appeal of the case to circuit court.

25 (3) A record sealed by a uniform order under this section shall
26 be removed and sequestered by the same procedure described in § 16-90-1413.

27 (d) This section does not preclude a person who is eligible to have a
28 record sealed under this subchapter from filing a uniform petition under §
29 16-90-1413.

30 (e) The Administrative Office of the Courts shall promulgate rules to
31 govern the process for the automatic sealing of eligible records in
32 accordance with this section.