

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 89

By: Senator A. Clark

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE CLOSED AND
CONFIDENTIAL NATURE OF RECORDS UNDER THE ARKANSAS
JUVENILE CODE OF 1989; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE CLOSED
AND CONFIDENTIAL NATURE OF RECORDS UNDER
THE ARKANSAS JUVENILE CODE OF 1989.

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

SECTION 1. Arkansas Code § 9-27-309(a), concerning records that may be closed and confidential at the discretion of the circuit court, is amended to read as follows:

(a) All records may be closed and confidential within the discretion of the circuit court, except:

(1) Adoption records, including any part of a dependency-neglect record that includes adoption records, shall be closed and confidential as provided in the Revised Uniform Adoption Act, § 9-9-201 et seq.;

(2) Records of delinquency adjudications for which a juvenile could have been tried as an adult shall be made available to prosecuting attorneys for use at sentencing if the juvenile is subsequently tried as an adult or to determine if the juvenile should be tried as an adult; ~~and~~

(3) The Administrative Office of the Courts shall provide the Arkansas Crime Information Center with records of delinquency adjudications for a juvenile adjudicated delinquent for an offense for which juvenile fingerprints shall be taken under § 9-27-320; and



(4) A criminal court shall not use a record from a dependency-neglect case that includes information provided to the Department of Human Services during the performance of services, including without limitation information obtained through staffing, counseling, family therapy, a substance abuse service, a mediation service, court-appointed special advocate services, or a psychological service.