

As Engrossed: 3/8/91, 3/27/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Todd**

A BILL ACT 1224 OF 1991
SENATE BILL 695

For An Act To Be Entitled

8 "AN ACT TO PROVIDE FOR THE EXPUNGEMENT OF THE RECORDS
9 RELATING TO A CONVICTION FOR WHICH A PERSON HAS RECEIVED A
10 PARDON; AND FOR OTHER PURPOSES."

11

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

13

14 SECTION 1. (a) Upon issuing a pardon, the Governor shall notify the
15 sentencing court and the court shall issue an order expunging the records
16 relating to the conviction of the person pardoned. The order of the court
17 shall require records which are kept in the regular course of business by law
18 enforcement agencies and judicial officials to be sealed, sequestered, and
19 treated as confidential. The records shall be available only to law
20 enforcement and judicial officials. The records shall not be physically
21 destroyed.

22 (b) The records relating to the conviction of a person pardoned prior
23 to the effective date of this act shall be expunged upon a copy of the pardon
24 being filed with the sentencing court by the person.

25 (c) *This section shall not apply to a pardon issued for any offense*
26 *where the victim is a person under the age of eighteen (18), any sex offense,*
27 *or an offense resulting in death or serious physical injury.*

28

29 SECTION 2. *This act shall apply retroactively to pardons issued prior*
30 *to the effective date of this act.*

31

32 SECTION 3. All provisions of this act of a general and permanent nature
33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
34 Revision Commission shall incorporate the same in the Code.

35

36 SECTION 4. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect
2 other provisions or applications of the act which can be given effect without
3 the invalid provision or application, and to this end the provisions of this
4 act are declared to be severable.

5

6 SECTION 5. All laws or parts of laws in conflict with this act are
7 hereby repealed.

8

9

/s/Todd

10

11

APPROVED:

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35