

1 State of Arkansas *As Engrossed: S3/21/13 S4/2/13 H4/6/13*

2 89th General Assembly

# A Bill

3 Regular Session, 2013

SENATE BILL 932

4

5 By: Senator Burnett

6 *By: Representatives Williams, Steel*

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## For An Act To Be Entitled

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

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## Subtitle

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

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

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

24 16-90-907. Eligibility to file a uniform petition to seal a  
25 misdemeanor offense or violation.

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

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

31 (2) Full payment of court costs; and

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

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



1 except that the person may not file:

2 (1) A new uniform petition to seal a criminal offense listed in  
3 § 16-90-904(a)(2)(A) until after a period of five (5) years has elapsed since  
4 the completion of the person's sentence for the conviction;

5 (2) A new uniform petition to seal a criminal offense listed in § 16-  
6 90-904(a)(2)(A) before one (1) year from the date of the order denying the  
7 previous uniform petition;

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

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

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

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

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

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

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28 SECTION 2. EFFECTIVE DATE. This act is effective on and after January  
29 1, 2014.

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31 /s/Burnett

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34 **APPROVED: 04/17/2013**