

ARKANSAS SENATE
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of Senate Bill No. 932

CONCERNING ELIGIBILITY TO FILE A UNIFORM PETITION TO EXPUNGE A MISDEMEANOR
OFFENSE OR VIOLATION; AND TO DECLARE AN EMERGENCY.

Amendment No. 1 to Senate Bill No. 932

Amend Senate Bill No. 932 as originally introduced:

Page 1, line 9, delete "EXPUNGE" and substitute "SEAL"

AND

Page 1, line 16, delete "EXPUNGE" and substitute "SEAL"

AND

Page 1, line 25, delete "expunge a" and substitute "seal a"

AND

Page 1, line 28, delete "expunge his" and substitute "seal his"

AND

Page 1, delete lines 30 through 32 and substitute:

"(1) The completion of his or her sentence for the misdemeanor or violation, including full payment of restitution;
(2) Full payment of court costs; and
(3) Full payment of driver's license suspension reinstatement fees, if a driver's license suspension reinstatement fee was assessed as a result of the person's arrest or conviction for the misdemeanor or violation."

AND

Page 1, line 34, delete "expunge his" and substitute "seal his"

AND

Page 1, delete line 36 and substitute:



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

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

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

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

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

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

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

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

AND

Page 2, delete lines 1 through 11.

AND

Page 2, line 15, delete “expunged;” and substitute “sealed;”

AND

Page 2, delete lines 16 through 18 and substitute:

“citizen of Arkansas might not know that he or she is eligible to have a criminal conviction sealed; and that this act is immediately necessary because the statutes permitting a person to have a criminal conviction sealed exist to allow a citizen of Arkansas with a past”

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Burnett

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Secretary