

State of Arkansas

76th General Assembly

Regular Session, 1987 AS ENGROSSED 3/31/87

HOUSE BILL 1974

By: Representative Shaver

"AN ACT TO PROVIDE THAT THE GOVERNOR MAY AUTHORIZE THE DEPARTMENT OF CORRECTION TO PARTICIPATE IN TREATIES BETWEEN THE UNITED STATES AND A FOREIGN COUNTRY FOR THE TRANSFER OF FOREIGN INMATES; TO AMEND SECTION 7 OF ACT 378 OF 1975 AS AMENDED, [ARK. STATS. 43-2344] RELATING TO EXPUNGEMENT OF THE RECORD REGARDING CERTAIN SENTENCES; AND FOR OTHER PURPOSES."

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

SECTION 1. The Governor of the State of Arkansas is hereby empowered to authorize the Department of Correction to participate, with the assistance of federal authorities, in any treaty between the United States and a foreign country for the transfer of inmates from the custody of the Arkansas Department of Correction to the proper authorities of a foreign country.

SECTION 2. Section 7 of Act 378 of 1975 as amended, the same being Arkansas Statutes 43-2344, is hereby amended to read as follows:

"Section 7. Upon completion of sentence or probation imposed under this Act, the sentencing court in the case of an offender sentenced under subsection (a) or (b) of Section 4 of this Act and the Director, in the case of a person sentenced under subsection (c) or (d) of Section 4 of this Act, shall direct that the record of the eligible offender be expunged of the offense of which the eligible offender was convicted, except under such circumstances as may be determined by rules and regulations promulgated by the Commission with the advice and consent of the Director. And in the case of such expungement, the eligible offender shall be entitled to a Certificate of Expungement to that effect. Upon the expungement of such record, as to that conviction, the person whose record was expunged may thereafter state in any application for employment, license, civil right, or privilege, or in any appearance as a wit-

ness that he has not been convicted of the offense for which he was convicted and sentenced or placed on probation under the provisions of this Act."

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

/s/ Jim Shaver

