

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 2209

4
5 By: Representative Wilson

For An Act To Be Entitled

9 "AN ACT TO PROVIDE FOR THE EXPUNGEMENT OF CRIMINAL RECORDS
10 OF MINORS CONVICTED OF CRIMES OTHER THAN MURDER, RAPE, OR
11 SEXUAL OFFENSES INVOLVING MINORS; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO PROVIDE FOR THE EXPUNGEMENT
15 OF CRIMINAL RECORDS OF MINORS CONVICTED
16 OF CRIMES OTHER THAN MURDER, RAPE, OR
17 SEXUAL OFFENSES INVOLVING MINORS."

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

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21 SECTION 1. For purposes of this act, "eligible defender" means any
22 person who was under twenty-six years of age at the time of committing a
23 criminal offense other than murder, rape, or a sexual offense involving a
24 minor.

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26 SECTION 2. When any eligible defender who plead guilty or nolo
27 contendere to or was found guilty of any misdemeanor or felony criminal
28 offense other than murder, rape, or a sexual offense involving a minor
29 completes his or her sentence or completes his or her supervised parole,
30 whichever comes first, the eligible defender may petition the court which
31 accepted the plea or entered the finding of guilt to expunge the records
32 relating thereto. If the court determines the person to be an eligible
33 defender under this act the court shall order the records expunged. Upon
34 expungement the offender shall be restored to all rights and privileges which
35 were lost as a result of the offense and the eligible offender shall
36 thereafter not be required to disclose the plea or finding on any employment

1 application or any other documents required to be executed in this state.

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3 SECTION 3. Violation of this act is a Class A misdemeanor.

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5 SECTION 4. Information contained in expunged records shall not be used
6 as the basis for termination or denial of employment.

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8 SECTION 5. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 6. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 7. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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