

State of Arkansas

As Engrossed: H3/1/99

82nd General Assembly

A Bill

Regular Session, 1999

HOUSE BILL 1423

By: Representative Hale

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE § 9-27-309(a) TO PERMIT THE ARKANSAS CRIME INFORMATION CENTER ACCESS TO RECORDS OF DELINQUENCY ADJUDICATIONS; AND FOR OTHER PURPOSES. "

Subtitle

"TO AMEND ARKANSAS CODE § 9-27-309(a) TO PERMIT THE ARKANSAS CRIME INFORMATION CENTER ACCESS TO RECORDS OF DELINQUENCY ADJUDICATIONS. "

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

SECTION 1. Arkansas Code 9-27-309(a) is amended to read as follows:

"(a) All records may be closed and confidential within the discretion of the court, except:

(1) Adoption records shall be closed and confidential as provided in the Revised Uniform Adoption Act, as amended, § 9-9-201 et seq.; ~~and~~

(2) Records of delinquency adjudications for which a juvenile could have been tried as an adult shall be made available to prosecuting attorneys for use at sentencing if the juvenile is subsequently tried as an adult or to determine if the juvenile should be tried as an adult; and

(3) Records of delinquency adjudications for juvenile adjudicated delinquent for any felony or a Class A misdemeanor wherein violence or a weapon was involved shall be made available to the Arkansas Crime Information Center."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

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

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

/s/ Hal e