

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/30/01

A Bill

HOUSE BILL 2644

5 By: Representative Trammell
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For An Act To Be Entitled

9 AN ACT TO ENCOURAGE THE TREATMENT AND
10 REHABILITATION OF DRUG USERS CONVICTED OF A
11 FELONY FOR POSSESSION OF A CONTROLLED SUBSTANCE;
12 AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO ENCOURAGE THE TREATMENT AND
15 REHABILITATION OF DRUG USERS CONVICTED
16 OF A FELONY FOR POSSESSION OF A
17 CONTROLLED SUBSTANCE.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. (a) The record of a felony offense for possession of a
24 controlled substance or counterfeit substance in violation of Arkansas Code
25 5-64-404(c) shall be expunged pursuant to this section.

26 (b) This section shall apply if:

27 (1) The intake officer appointed by the court determines that the
28 defendant has a drug addiction and recommends the defendant as candidate for
29 residential drug treatment;

30 (2) The court places the defendant on probation and includes as
31 part of the terms and conditions of the probation that:

32 (A) The defendant successfully complete a drug treatment
33 program approved by the court; and

34 (B) The defendant remain drug free until successful
35 completion of probation; and

36 (3) The defendant successfully completes the terms and conditions

1 of the probation.

2 (c) Nothing in this section shall require or compel any court of this
3 state to order probation under this section, nor shall any defendant be
4 availed the benefit of this section as a matter of right.

5 (d) This section shall be supplemental to all other laws concerning
6 probation and expungement.

7 (e) As used in this section the procedure, effect, and definition of
8 "expungement" shall be in accordance with that established in Arkansas Code
9 16-90-901 through 16-90-906.

10 */s/ Trammel*

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