

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

SENATE BILL 932

5 By: Senator Burnett  
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## For An Act To Be Entitled

8 AN ACT CONCERNING ELIGIBILITY TO FILE A UNIFORM  
9 PETITION TO EXPUNGE A MISDEMEANOR OFFENSE OR  
10 VIOLATION; TO DECLARE AN EMERGENCY; AND FOR OTHER  
11 PURPOSES.  
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## Subtitle

14 CONCERNING ELIGIBILITY TO FILE A UNIFORM  
15 PETITION TO EXPUNGE A MISDEMEANOR OFFENSE  
16 OR VIOLATION; AND TO DECLARE AN  
17 EMERGENCY.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 16, Chapter 90, Subchapter 9, is  
24 amended to add a new section to read as follows:

25 16-90-907. Eligibility to file a uniform petition to expunge a  
26 misdemeanor offense or violation.

27 (a) A person is eligible to file a uniform petition under this  
28 subchapter to expunge his or her record of a misdemeanor or violation sixty  
29 (60) days after:

30 (1) The completion of his or her sentence for the misdemeanor or  
31 violation, including full payment of restitution; and

32 (2) Full payment of court costs.

33 (b) There is not a limit to the number of times a person may file a  
34 uniform petition to expunge his or her record of a misdemeanor or violation,  
35 except that the person may not file:

36 (1) A new uniform petition to expunge a criminal offense listed



1 in 16-90-904(a)(2)(A) before one (1) year from the date of the order denying  
2 the previous uniform petition;

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

6 (3) A new uniform petition under this section if an appeal of a  
7 previous denial of a uniform petition for the same misdemeanor or violation  
8 is still pending.

9 (c) A person is eligible to a file a uniform petition to expunge a  
10 misdemeanor or violation under this section even if his or her misdemeanor or  
11 violation occurred before the effective date of this act.

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13 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
14 General Assembly of the State of Arkansas that currently the law is silent as  
15 to who is eligible to have his or her criminal record expunged; that a  
16 citizen of Arkansas might not know that he or she is eligible for  
17 expungement; and that this act is immediately necessary because the  
18 expungement statutes exist to allow a citizen of Arkansas with a past  
19 criminal conviction to move on with his or her life without the cloud of  
20 being a person with a criminal record. Therefore, an emergency is declared to  
21 exist, and this act being immediately necessary for the preservation of the  
22 public peace, health, and safety shall become effective on:

23 (1) The date of its approval by the Governor;

24 (2) If the bill is neither approved nor vetoed by the Governor,  
25 the expiration of the period of time during which the Governor may veto the  
26 bill; or

27 (3) If the bill is vetoed by the Governor and the veto is  
28 overridden, the date the last house overrides the veto.

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