1 2	State of Arkansas As Engrossed: \$3/21/13 \$4/2/13 89th General Assembly As Engrossed: \$3/21/13 \$4/2/13
3	Regular Session, 2013 SENATE BILL 932
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5	By: Senator Burnett
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7	For An Act To Be Entitled
8	AN ACT CONCERNING ELIGIBILITY TO FILE A UNIFORM
9	PETITION TO SEAL A MISDEMEANOR OFFENSE OR VIOLATION;
10	AND FOR OTHER PURPOSES.
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13	Subtitle
14	CONCERNING ELIGIBILITY TO FILE A UNIFORM
15	PETITION TO SEAL A MISDEMEANOR OFFENSE OR
16	VIOLATION.
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19	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21	SECTION 1. Arkansas Code Title 16, Chapter 90, Subchapter 9, is
22	amended to add a new section to read as follows:
23	16-90-907. Eligibility to file a uniform petition to seal a
24	misdemeanor offense or violation.
25	(a) A person is eligible to file a uniform petition under this
26	subchapter to seal his or her record of a misdemeanor or violation sixty (60)
27	<u>days after:</u>
28	(1) The completion of his or her sentence for the misdemeanor or
29	violation, including full payment of restitution;
30	(2) Full payment of court costs; and
31	(3) Full payment of driver's license suspension reinstatement
32	<u>fees, if a driver's license suspension reinstatement fee was assessed as a</u>
33	result of the person's arrest or conviction for the misdemeanor or violation.
34	(b) There is not a limit to the number of times a person may file a
35	uniform petition to seal his or her record of a misdemeanor or violation,
36	except that the person may not file:



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1	(1) A new uniform petition to seal a criminal offense listed in
2	§ 16-90-904(a)(2)(A) until after a period of five (5) years has elapsed since
3	the completion of the person's sentence for the conviction;
4	(2) A new uniform petition to seal a criminal offense listed in § 16-
5	90-904(a)(2)(A) before one (1) year from the date of the order denying the
6	previous uniform petition;
7	(3) A new uniform petition to seal any other misdemeanor or violation
8	before ninety (90) days from the date of an order denying a uniform petition
9	to seal the misdemeanor or violation;
10	<u>(4) A new uniform petition to seal a misdemeanor or violation under</u>
11	this section if an appeal of a previous denial of a uniform petition to seal
12	a misdemeanor or violation for the same misdemeanor or violation is still
13	pending; or
14	(5) A new uniform petition to seal a misdemeanor or violation under
15	this section if:
16	(A) The person was a holder of a commercial driver license or
17	commercial learner's permit at the time the misdemeanor or violation was
18	<u>committed; and</u>
19	(B) The misdemeanor or violation was a traffic offense, other
20	than a parking violation, vehicle weight violation, or vehicle defect
21	violation, committed in any type of motor vehicle.
22	(c) Except as provided in subsection (b) of this section, a person is
23	<u>eligible to file a uniform petition to seal a misdemeanor or violation under</u>
24	this section even if his or her misdemeanor or violation occurred before the
25	<u>effective date of this act.</u>
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27	SECTION 2. EFFECTIVE DATE. This act is effective on and after January
28	<u>1, 2014.</u>
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30	/s/Burnett
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