

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: H3/1/23

A Bill

HOUSE BILL 1473

5 By: Representative Dalby
6 By: Senator Irvin
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE PROCEDURE FOR
10 A NAME CHANGE; TO REQUIRE A PETITION FOR A NAME
11 CHANGE TO BE VERIFIED; TO AMEND THE PROCEDURE FOR A
12 NAME CHANGE TO REQUIRE CERTAIN CONTENTS TO APPEAR ON
13 THE ORDER FOR A NAME CHANGE; TO ENSURE THAT CERTAIN
14 CONTENTS OF NAME CHANGE COURT FILE ARE REDACTED; TO
15 REQUIRE THE COURT CLERK TO DELIVER AN ORDER FOR A
16 NAME CHANGE TO CERTAIN STATE ENTITIES; TO ALLOW FOR A
17 COURT FILE IN A NAME CHANGE CASE TO BE SEALED; AND
18 FOR OTHER PURPOSES.

Subtitle

21 TO AMEND THE LAW CONCERNING THE PROCEDURE
22 FOR A NAME CHANGE; TO REQUIRE A NAME
23 CHANGE PETITION TO BE VERIFIED; AND TO
24 ENSURE CONTENTS OF A NAME CHANGE COURT
25 FILE ARE REDACTED.
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29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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31 SECTION 1. Arkansas Code § 9-2-101 is amended to read as follows:

32 9-2-101. Name change – Procedure.

33 (a) Upon the application of any person within the jurisdiction of the
34 court, the circuit court shall have power, upon good reasons shown, to alter
35 or change the name of the person.

36 (b) When application is made to the court under this section, it shall



1 be by a verified petition in writing embodying the reasons for the
2 application.

3 ~~(c)(1) When allowed, the petition shall by order of the court be~~
4 ~~spread upon the record, together with the decree of the court~~ If the court
5 determines cause has been shown, the court shall order the petitioner's name
6 changed in an order that reflects the petitioner's:

7 (A) Prior name;

8 (B) Birth date;

9 (C) Identifying information as deemed appropriate by the
10 court, including without limitation the petitioner's:

11 (i) Social security number; or

12 (ii) Driver's license number; and

13 (D) New name.

14 ~~(2)(A)(i) An appropriate order, as prescribed in this~~
15 ~~subsection, may be made by a circuit judge in vacation. This order shall~~
16 ~~have the same force and effect as if made at term time~~ The petitioner shall
17 ensure that all confidential information is omitted or redacted from case
18 records that he or she submits to the court in accordance with Supreme Court
19 Administrative Order No. 19.1.

20 (ii) In the case of a filing submitted through the
21 electronic filing system, all confidential information shall be redacted from
22 an electronic document before its filing in accordance with Supreme Court
23 Administrative Order No. 21.

24 (B) The clerk shall ensure that all of the identifying
25 information within the case, other than the petitioner's new name and prior
26 name, is properly redacted.

27 (3)(A) The clerk shall deliver the unredacted order to the:

28 (i) Arkansas Crime Information Center;

29 (ii) Arkansas Driver Control; and

30 (iii) Division of Vital Records, if requested by the
31 petitioner.

32 (B) If the case is not already styled under both the
33 petitioner's new name and prior name, after the name change is ordered, the
34 clerk shall modify the case caption and index the case under both the new
35 name and the prior name.

36 (C) The court shall order the court file sealed upon clear

1 and convincing evidence presented by the petitioner that the petitioner would
2 otherwise be endangered.

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/s/Dalby