

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: H2/24/21

# A Bill

HOUSE BILL 1329

5 By: Representative Bryant  
6 By: Senator B. Ballinger  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING THE COMPREHENSIVE CRIMINAL RECORD  
10 SEALING ACT OF 2013; CONCERNING SEALING A FELONY  
11 CONTROLLED SUBSTANCE CONVICTION; AND FOR OTHER  
12 PURPOSES.  
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## Subtitle

15 CONCERNING THE COMPREHENSIVE CRIMINAL  
16 RECORD SEALING ACT OF 2013; AND  
17 CONCERNING SEALING A FELONY CONTROLLED  
18 SUBSTANCE CONVICTION.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 16-90-1407 is amended to read as follows:  
25 16-90-1407. Special procedures for sealing a felony controlled  
26 substance possession conviction.

27 A person may petition the court to seal a record of a felony conviction  
28 for possession of a controlled substance, § 5-64-419, or counterfeit  
29 substance, § 5-64-441, upon the completion of the person's sentence if, prior  
30 to sentencing:

31 (1) An intake officer appointed by the court, where applicable,  
32 determines that the person has a drug addiction and recommends the person as  
33 a candidate for residential drug treatment;

34 (2) The court places the person on probation and includes as  
35 part of the terms and conditions of the probation that:

36 (A) The person successfully complete a drug treatment



1 program approved by the court; and

2 (B) The person remain drug-free until successful  
3 completion of probation; and

4 (3) The person successfully completes the terms and conditions  
5 of the probation.

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*/s/Bryant*

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**APPROVED: 4/13/21**

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