

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

A Bill

HOUSE BILL 1472

5 By: Representative Dalby
6 By: Senator Irvin
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS JUVENILE CODE OF 1989 AS
10 IT PERTAINS TO DELINQUENCY CASES; TO AMEND THE LAW
11 CONCERNING DELINQUENCY CASES FOR WHICH RECORDS MUST
12 BE KEPT FOR A PERIOD OF TIME; AND FOR OTHER PURPOSES.
13

Subtitle

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15 TO AMEND THE LAW CONCERNING DELINQUENCY
16 CASES FOR WHICH RECORDS MUST BE KEPT FOR
17 A PERIOD OF TIME.
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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 § 9-27-309(a) and (b), concerning records
24 kept closed and confidential under the Arkansas Juvenile Code of 1989 and
25 records of particular delinquency adjudications that may be expunged, is
26 amended to read as follows:

27 (a) All records may be closed and confidential within the discretion
28 of the circuit court, except:

29 (1) Adoption records, including any part of a dependency-neglect
30 record that includes adoption records, shall be closed and confidential as
31 provided in the Revised Uniform Adoption Act, § 9-9-201 et seq.;

32 (2) Records of delinquency adjudications for which a juvenile
33 could have been tried as an adult shall be made available to prosecuting
34 attorneys for use at sentencing if the juvenile is subsequently tried as an
35 adult or to determine if the juvenile should be tried as an adult; and

36 (3) The Administrative Office of the Courts shall provide the



1 Arkansas Crime Information Center with records of delinquency adjudications
2 for a juvenile adjudicated delinquent for an offense for which juvenile
3 fingerprints shall be taken under § 9-27-320.

4 (b)(1)(A) Records of delinquency adjudications for ~~which a juvenile~~
5 ~~could have been tried as an adult~~ a felony involving violence as defined
6 under § 5-4-501 shall be kept for ten (10) years after the last adjudication
7 of delinquency or the date of a plea of guilty or nolo contendere or a
8 finding of guilt as an adult.

9 (B) Thereafter they may be expunged.

10 (2) The court may expunge other juvenile records at any time and
11 shall expunge all the records of a juvenile upon his or her twenty-first
12 birthday, in other types of delinquency, dependency-neglect, or families in
13 need of services cases.

14 (3) For purposes of this section, "expunge" means to destroy.

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17 **APPROVED: 3/13/23**
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