

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Malone**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 12-12-505 TO
9 PROVIDE FOR IMMEDIATE EXPUNGEMENT OF CENTRAL REGISTRY
10 REPORTS OF CHILD ABUSE, NEGLECT, SEXUAL ABUSE, OR
11 EXPLOITATION DETERMINED BY A COURT OF COMPETENT
12 JURISDICTION TO BE UNFOUNDED; AND FOR OTHER PURPOSES."

Subtitle

14 "TO PROVIDE FOR IMMEDIATE EXPUNGEMENT OF CENTRAL REGISTRY
15 REPORTS OF CHILD ABUSE DETERMINED BY A COURT TO BE
16 UNFOUNDED."
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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 § 12-12-505(c) is hereby amended to read as
22 follows:

23 "(c) (1) (A) Records of all cases where allegations are determined to be
24 founded which are retained by the central registry in accordance with the
25 terms of this subchapter shall be sealed when the youngest minor subject of
26 the report reaches the age of twenty-one (21) years.

27 (B) Once sealed, the records shall not otherwise be
28 available unless the department, upon notice to the subjects of the report,
29 gives approval for an appropriate reason.

30 (2) Records of cases where allegations are determined by a court
31 of competent jurisdiction to be unfounded shall be destroyed immediately."
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33 SECTION 2. All provisions of this act of a general and permanent nature
34 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
35 Revision Commission shall incorporate the same in the Code.

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SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

