

**Hall of the House of Representatives**  
94th General Assembly - Regular Session, 2023  
**Amendment Form**

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**Subtitle of House Bill No. 1013**

TO ESTABLISH A PATH TO RESTORATION OF THE RIGHT TO POSSESS A FIREARM; AND TO  
PROVIDE FOR THE DISCHARGE, DISMISSAL, AND SEALING OF A NONVIOLENT FELONY  
CONVICTION.

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**Amendment No. 3 to House Bill 1013**

Amend House Bill No. 1013 as engrossed H3/16/23 (version: 3/16/2023 9:57:51 AM):

Page 6, delete lines 14 and 15, and substitute the following:

"and seal a conviction and fully restore a person's right to possess a  
firearm under state law; and"

AND

Page 6, delete lines 17 and 18, and substitute the following:

"dismiss, and seal a conviction and fully restore a person's right to possess  
a firearm under state law."

AND

Page 6, delete line 36, and substitute the following:

"(11) The Arkansas Protection of Children Against Exploitation  
Act of 1979, § 5-27-301 et seq.;

(12) Exposing a child to a chemical substance or  
methamphetamine, § 5-27-230;

(13) Use of children in sexual performances, § 5-27-401 et seq.;

(14) Computer crimes against minors, § 5-27-601 et seq.;

(15) Abuse of adults, § 5-28-101 et seq.;

(16) Damage or destruction of property, § 5-38-101 et seq.;

(17) Causing a catastrophe, § 5-38-202;

(18) Arson, § 5-38-301;

(19) Residential burglary, § 5-39-201;

(20) Aggravated residential burglary, § 5-39-204;

(21) Treason, § 5-51-201;

(22) First degree escape, § 5-54-110, second degree escape, § 5-  
54-111, third degree escape, § 5-54-112, and permitting escape in the first  
degree, § 5-54-113;

(23) Fleeing, § 5-54-125;



(24) Killing or injuring animals used by law enforcement or search and rescue dogs, § 5-54-126;

(25) Terrorism, § 5-54-201 et seq.;

(26) Animals, § 5-62-101 et seq.;

(27) Trafficking a controlled substance, § 5-64-440;

(28) Aggravated riot, § 5-71-202;

(29) Stalking, § 5-71-229;

(30) Weapons, § 5-73-101 et seq.;

(31) The Arkansas Criminal Gang, Organization, or Enterprise Act, § 5-74-101 et seq.;

(32) A felony that requires a person to register as a sex offender under the Sex Offender Registration Act of 1997, § 12-12-901 et seq.;

(33) A serious felony involving violence as defined in § 5-4-501(c)(2) or a felony involving violence as defined in § 5-4-501(d)(2);

(34) An attempt, solicitation, or conspiracy to commit any of the felonies listed in subdivisions (a)(1)-(33) of this section, if the attempt, solicitation, or conspiracy itself is a felony; or

(35) A felony traffic offense committed in any type of motor vehicle if the person was a holder of a commercial learner's permit or commercial driver's license at the time the felony traffic offense was committed."

AND

Page 7, delete lines 1 through 36, and substitute the following:

"(b)(1) Except as provided in subdivision (b)(3) of this section, a person may file only one (1) uniform petition under this subchapter or the Comprehensive Criminal Record Sealing Act of 2013, § 16-90-1401 et seq., during his or her lifetime, with regard to a felony."

AND

Page 8, delete lines 6 through 8, and substitute the following:

"(3) A person is eligible to file a uniform petition under this subchapter to fully restore the person's right to possess a firearm under state law even if the person had his or her conviction sealed under another law before the effective date of this act."

AND

Page 8, line 12, delete "restored" and substitute "fully restored"

AND

Page 9, delete lines 10 and 11, and substitute the following:

"uniform petition with the court, stating the reasons, without limitation, for the opposition of the petition."

AND

Page 11, delete lines 6 through 8, and substitute with the following:

"(b)(1) An order to discharge, dismiss, and seal a felony conviction and to fully restore a person's right to possess a firearm under state law is not effective unless the uniform order is entered.

(2) An order entered in response to a uniform petition filed under § 16-90-1603(b)(3) to fully restore a person's right to possess a firearm under state law is not effective unless the uniform order is entered."

AND

Page 12, line 4, delete "restored" and substitute "fully restored"

AND

Page 13, line 14, delete "(a)" and substitute "(a)(1)"

AND

Page 13, line 16, delete "restored" and substitute "fully restored"

AND

Page 13, delete line 19, and substitute the following:

"specifically provided by law.

(2) A person who has a uniform order entered in response to a uniform petition filed under § 16-90-1603(b)(3) shall have his or her right to lawfully possess a firearm under state law fully restored.

(3) A person who wants to reacquire the right to vote removed from him or her as the result of a felony conviction shall follow the procedures in Arkansas Constitution, Amendment 51, § 11."

AND

Page 13, delete lines 20 through 24, and substitute the following:

"(b)(1) Upon the entry of the uniform order, unless entered in response to a uniform petition filed under § 16-90-1603(b)(3), the person's underlying conduct shall be deemed as a matter of law never to have occurred, and the person may state that the underlying conduct did not occur and that a record of the felony for which the person was convicted was discharged, dismissed, and sealed and does not exist."

The Amendment was read \_\_\_\_\_

By: Representative V. Flowers  
JLC/JLC - 03-24-2023 11:40:29  
JLC097

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Chief Clerk