

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

A Bill

SENATE BILL 476

5 By: Senator C. Tucker
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING EVICTION
9 PROCEEDINGS; TO ALLOW THE COURT TO SEAL CERTAIN COURT
10 RECORDS; TO DECLARE AN EMERGENCY; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14 TO AMEND THE LAW CONCERNING EVICTION
15 PROCEEDINGS; TO ALLOW THE COURT TO SEAL
16 CERTAIN COURT RECORDS; AND TO DECLARE AN
17 EMERGENCY.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Title 18, Chapter 17, Subchapter 9, is amended to add an
24 additional section that reads as follows:

25 18-17-914. Sealing of court records for eviction.

26 (a) Upon a motion by a defendant regarding a matter of eviction, the
27 court shall seal a court record relating to an action for eviction based upon
28 nonpayment of rent if the:

29 (1) Complaint was filed on or after March 1, 2020; and

30 (2) Court finds that the tenant's failure to pay rent was due to
31 the tenant's being adversely impacted by the coronavirus 2019 (COVID-19)
32 pandemic.

33 (b) This section shall apply to an action for eviction for nonpayment
34 of rent under:

35 (1) This subchapter;

36 (2) § 18-16-101; or



1 (3) § 18-60-304.

2
3 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
4 General Assembly of the State of Arkansas that the Centers for Disease
5 Control and Prevention has determined that a public health emergency exists
6 as a result of the coronavirus 2019 (COVID-19) pandemic; that studies show
7 that the availability of adequate housing has a direct impact on a person's
8 health; that the coronavirus 2019 (COVID-19) pandemic has negatively impacted
9 state and federal economies; and that if eviction records for tenants who
10 were adversely impacted by the coronavirus 2019 (COVID-19) pandemic are
11 publically searchable, landlords are likely to refuse to rent to tenants who
12 were evicted during the coronavirus 2019 (COVID-19) pandemic, and this will
13 exacerbate the health and economic issues in this state resulting from the
14 coronavirus 2019 (COVID-19) pandemic. Therefore, an emergency is declared to
15 exist, and this act being immediately necessary for the preservation of the
16 public peace, health, and safety shall become effective on:

17 (1) The date of its approval by the Governor;

18 (2) If the bill is neither approved nor vetoed by the Governor,
19 the expiration of the period of time during which the Governor may veto the
20 bill; or

21 (3) If the bill is vetoed by the Governor and the veto is
22 overridden, the date the last house overrides the veto.