

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1987

By: Representative Baine

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING THE SHARING OF CERTAIN INVESTIGATORY INFORMATION BY AUTHORIZED ENTITIES; AMENDING A PORTION OF ARKANSAS LAW RESULTING FROM INITIATED ACT 1 OF 1990; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE SHARING OF CERTAIN INVESTIGATORY INFORMATION BY AUTHORIZED ENTITIES; AND AMENDING A PORTION OF ARKANSAS LAW RESULTING FROM AN INITIATED ACT.

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

SECTION 1. Arkansas Code § 7-6-218(b)(3)(B)), concerning citizens complaints to the Arkansas Ethics Commission and resulting from Initiated Act 1 of 1990, is amended to read as follows:

(B)(i) ~~All~~ Except as provided in subdivisions (b)(3)(B)(ii) of this section, all proceedings, records, and transcripts of any investigations or inquiries shall be kept confidential by the commission, unless the respondent requests disclosure of documents relating to investigation of the case, in case of a hearing under subdivision (b)(2) of this section, or in case of judicial review of a commission decision pursuant to § 25-15-212.

(ii)(a) ~~However, through~~ Through its members or staff, the commission may disclose confidential information to proper law



enforcement officials, agencies, and bodies or as may be required to conduct its investigation.

(b) If an investigation or inquiry concerns an attorney or judge, the commission may, through its members or staff, disclose confidential information to the Supreme Court Committee on Professional Conduct or the Judicial Discipline and Disability Commission.

SECTION 2. Arkansas Code § 16-10-404(b)(1)(G), concerning investigations of the Judicial Discipline and Disability Commission, is amended to read as follows:

(G)(i) If, during the course of or after an investigation or hearing, the commission reasonably believes that there may have been a violation of any rules of professional conduct of attorneys at law, the commission may release such information to any committee, commission, agency, or body within or outside of the state empowered to investigate, regulate, or adjudicate matters incident to the legal profession.

(ii) If, during the course of or after an investigation or hearing, the commission reasonably believes that there may have been a violation of a law or rule falling under the jurisdiction of the Arkansas Ethics Commission, the commission may release such information to the Arkansas Ethics Commission; or

APPROVED: 04/11/2013