

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 266

By: Senator Irvin

For An Act To Be Entitled

AN ACT CONCERNING THE DISSEMINATION OF A PERSON'S
CRIMINAL HISTORY INFORMATION; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE DISSEMINATION OF A
PERSON'S CRIMINAL HISTORY INFORMATION.

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

SECTION 1. Arkansas Code § 12-12-1010 is amended to read as follows:
12-12-1010. Dissemination of criminal history information for other
purposes.

(a)(1) Criminal history information shall be made available to the
Governor for purposes of carrying out the Governor's constitutional authority
involving pardons, executive clemencies, extraditions, or other duties
specifically authorized by law.

(2) Criminal history information may be made available to:

(A) Persons performing research related to the
administration of criminal justice, subject to conditions approved by the
central repository or the Identification Bureau of the Department of Arkansas
State Police to assure the security of the information and the privacy of
individuals to whom the criminal history information relates; and

(B) Private contractors ~~providing penitentiary services to~~
housing state inmates for a governmental criminal justice agency ~~pursuant to~~
under a specific agreement approved by the Arkansas Crime Information Center
~~which~~ that limits the use of the criminal history information to the purposes
for which given to ensure the security and confidentiality of the criminal



history information.

(b)(1) Criminal history information shall be made available according to ~~the provisions of~~ the National Crime Prevention and Privacy Compact, 42 U.S.C. § 14616, as it existed on January 1, 2001.

(2)(A) The General Assembly approves and ratifies the National Crime Prevention and Privacy Compact, 42 U.S.C. § 14616, as it existed on January 1, 2001, ~~and the compact shall remain in effect until legislation is enacted renouncing the compact.~~

(B) The Director of the Arkansas Crime Information Center, ~~the repository of criminal history records,~~ shall execute, administer, and implement the compact on behalf of the state and may adopt necessary rules, regulations, and procedures for the national exchange of criminal history ~~records~~ information for noncriminal justice purposes.

(C) Ratification of the compact does not affect the obligations and responsibilities of the center regarding the dissemination of criminal history ~~records~~ information within Arkansas.

(c)(1) Criminal history information may be requested by a noncriminal justice agency and shall be made available after a review and express approval of dissemination by the director.

(2) Requests for criminal history information by a noncriminal justice agency shall be made to the director and shall include:

(A) The specific criminal history information being requested;

(B) A list of all persons who will have access to the criminal history information;

(C) A detailed description of how the criminal history information will be used and protected; and

(D) A named temporary custodian of the criminal history information received.

(3) Criminal history information that is requested under this subsection is limited to criminal history information pertaining to criminal offenses that occurred in Arkansas.

APPROVED: 3/20/19