

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 497

By: Senator A. Clark
By: Representative Burch

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE DISCLOSURE OF
CONFIDENTIAL INFORMATION UNDER THE CHILD MALTREATMENT
ACT; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE
DISCLOSURE OF CONFIDENTIAL INFORMATION
UNDER THE CHILD MALTREATMENT ACT.

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

SECTION 1. Arkansas Code § 12-18-620(e)(11), concerning the right of a United States or Arkansas senator or representative to receive and redisclose information on a pending investigation under the Child Maltreatment Act, is amended to read as follows:

(11)(A)~~(i)~~ Federal, state, and local government entities, or any agent of such entities that have a need for such information to carry out its responsibilities under law to protect children from child maltreatment.

(B) Acting in their official capacities under law to protect children, disclosure may be made to individual United States and Arkansas senators and representatives and their authorized staff members but only if they agree not to permit any redisclosure of the information except for a legitimate state purpose to protect children from child maltreatment.

~~(ii) This subdivision (e)(11)(A) does not prohibit an individual United States or Arkansas senator or representative from disclosing information to another United States or Arkansas senator or~~



~~representative.~~

~~(B)(C)~~ However, disclosure shall not be made to any committee or legislative body; and

SECTION 2. Arkansas Code § 12-18-710(e)(12), concerning the right of a United States or Arkansas senator or representative to receive and redisclose information on an investigative determination pending due process under the Child Maltreatment Act, is amended to read as follows:

(12)(A)~~(i)~~ Federal, state, and local government entities, or any agent of such entities that have a need for such information to carry out its responsibilities under law to protect children from child maltreatment.

(B) Acting in their official capacities under law to protect children, disclosure may be made to individual United States and Arkansas senators and representatives and their authorized staff members, but only if they agree not to permit any redisclosure of the information except for a legitimate state purpose to protect children from child maltreatment.

~~(ii) This subdivision (e)(12)(A) does not prohibit an individual United States or Arkansas senator or representative from disclosing information to another United States or Arkansas senator or representative.~~

~~(B)(C)~~ However, disclosure shall not be made to any committee or legislative body; and

SECTION 3. Arkansas Code § 12-18-909(g)(15), concerning the right of a United States or Arkansas senator or representative to receive and redisclose a true report of child maltreatment under the Child Maltreatment Act, is amended to read as follows:

(15)(A)~~(i)~~ Federal, state, and local government entities, or any agent of such entities that have a need for such information to carry out its responsibilities under law to protect children from child maltreatment.

(B) Acting in their official capacities under law to protect children, disclosure may be made to individual United States and Arkansas senators and representatives and their authorized staff members, but only if they agree not to permit any redisclosure of the information except for a legitimate state purpose to protect children from child maltreatment.

~~(ii) This subdivision (g)(15)(A) does not prohibit~~

~~an individual United States or Arkansas senator or representative from disclosing information to another United States or Arkansas senator or representative.~~

~~(B)(C)~~ However, disclosure shall not be made to any committee or legislative body of any information that identifies any recipient of services by name or address;

SECTION 4. Arkansas Code § 12-18-910(f)(6), concerning the right of a United States or Arkansas senator or representative to receive and redisclose an unsubstantiated report under the Child Maltreatment Act, is amended to read as follows:

(6)(A)~~(i)~~ Federal, state, and local government entities, or any agent of such entities that have a need for such information to carry out its responsibilities under law to protect children from child maltreatment.

(B) Acting in their official capacities under law to protect children, disclosure may be made to individual United States and Arkansas senators and representatives and their authorized staff members, but only if they agree not to permit any redisclosure of the information except for a legitimate state purpose to protect children from child maltreatment.

~~(ii) This subdivision (f)(6)(A) does not prohibit an individual United States or Arkansas senator or representative from disclosing information to another United States or Arkansas senator or representative.~~

~~(B)(C)~~ However, disclosure shall not be made to any committee or legislative body of any information that identifies any recipient of services by name or address;

APPROVED: 3/29/19