

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1099

By: Representative A. Collins

By: Senator J. Payton

For An Act To Be Entitled

AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF 1967; TO SPECIFY THE TIME WITHIN WHICH ONE MAY SEEK AN OPINION FROM THE ATTORNEY GENERAL ON WHETHER THE DECISION OF A PUBLIC-RECORDS CUSTODIAN REGARDING THE RELEASE OF CERTAIN PUBLIC RECORDS IS CONSISTENT WITH THE LAW; AND FOR OTHER PURPOSES.

Subtitle

TO SPECIFY THE TIME WITHIN WHICH ONE MAY SEEK AN OPINION FROM THE ATTORNEY GENERAL ON WHETHER THE DECISION OF A PUBLIC-RECORDS CUSTODIAN REGARDING THE RELEASE OF CERTAIN PUBLIC RECORDS IS CONSISTENT WITH THE LAW.

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

SECTION 1. Arkansas Code § 25-19-105(c)(3)(B)(i), concerning the ability to seek an opinion from the Attorney General on whether the decision of a public-records custodian is consistent with the Freedom of Information Act, is amended to read as follows:

(i) If the subject of the records cannot be contacted in person or by telephone within the twenty-four-hour period, the custodian shall send written notice via overnight mail to the subject of the records at his or her last known address. Either the custodian, requester, or the subject of the records may, ~~immediately~~ before the close of the Office of



the Attorney General the following business day, seek an opinion from the Attorney General, who, within three (3) working days of receipt of the request, shall issue an opinion stating whether the decision is consistent with this chapter.

APPROVED: 2/9/23