

Department of Finance and Administration

Legislative Impact Statement

Bill: SB363

Bill Subtitle: TO PROVIDE GUIDANCE TO INTERESTED CITIES AND COUNTIES REGARDING ELECTRONIC RECORD KEEPING; AND TO SAVE PUBLIC MONEY BY ALLOWING FOR THE POSTING OF RECORDS ON THE INTERNET TO SATISFY DISCLOSURE REQUIREMENTS.

Basic Change :

Sen. J. Woods,

SB363 amends sections of the Arkansas Code concerning retention of public records by state agencies and the access to public records under the Arkansas Freedom of Information Act (FOIA). The bill amends the FOIA to provide that a custodian complies with the FOIA if the custodian makes the requested documents available in electronic form via the internet. If the requestor does not have internet access, the custodian complies with the FOIA by providing reasonable access to the internet and by providing comforts and facilities for the inspection and copying of the information on the internet. Currently, a custodian may offer the documents via internet access, but the requestor has the right to request the documents through another medium or format instead.

Revenue Impact :

None

Taxpayer Impact :

None

Resources Required :

None

Time Required :

None

Procedural Changes :

The ability to provide documents by access to the internet will simplify the process for agencies to comply with FOI requests.

Other Comments :

None

Legal Analysis :

Although it is not stated in the bill, the provisions of the FOIA related to copy or reproduction fees that may be charged by a custodian would apply to records produced under this bill since the fee provisions apply to the whole of the FOIA, and the bill amends a specific section of the FOIA.