

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S1/30/13
A Bill

SENATE BILL 131

By: Senators Holland, *J. Hendren, Hester, J. Hutchinson, Irvin, Rapert, D. Sanders, J. Woods*
By: Representatives *Alexander, Ballinger, Barnett, Biviano, Bragg, Collins, Davis, Dotson, D. Douglas, Eubanks, Gillam, Gossage, Kerr, Lea, S. Meeks, Miller, Neal, Payton, Scott, Wardlaw, Womack*

For An Act To Be Entitled

AN ACT TO PROTECT THE PRIVACY OF OWNERS OF, AND APPLICANTS FOR, CONCEALED HANDGUN CARRY LICENSES; TO EXEMPT THE NAME AND CORRESPONDING ZIP CODE OF AN APPLICANT, LICENSEE, OR PAST LICENSEE FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT OF 1967; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO PROTECT THE PRIVACY OF OWNERS OF, AND APPLICANTS FOR, CONCEALED HANDGUN CARRY LICENSES; TO EXEMPT THE NAME AND CORRESPONDING ZIP CODE OF THE APPLICANT, LICENSEE, OR PAST LICENSEE FROM DISCLOSURE; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 25-19-105(b)(19), concerning the concealed handgun records exemption to the Freedom of Information Act of 1967, is amended to read as follows:

(19) Records pertaining to the issuance, renewal, expiration, suspension, or revocation of a license to carry a concealed handgun, or a present or past licensee under § 5-73-301 et seq., including without limitation all records provided to or obtained by ~~any~~ a local, state, or federal ~~governments, government or~~ government or their officials, agents, or employees in



the investigation of an applicant, licensee, or past licensee, and all records pertaining to a criminal or health history check conducted on the applicant, licensee, or past licensee except that:

(A) Information or other records regarding an applicant, licensee, or past licensee may be released to a law enforcement agency ~~for the purpose of assisting~~ to assist in a criminal investigation or prosecution, ~~or for determining~~ to determine the validity of or eligibility for a license; and

(B) ~~Names~~ The name of an applicant, licensee, or past licensee may be released as contained in investigative or arrest reports of law enforcement that are subject to release as public records; ~~and,~~

~~(C) The name and the corresponding zip code of an applicant, licensee, or past licensee may be released upon request by a citizen of Arkansas.~~

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the release of records to the general public concerning persons licensed to carry a concealed handgun is an unwarranted invasion of privacy and threatens the safety and property of the persons identified; and that this act is immediately necessary to prevent harm to citizens and safeguard their property. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Holland