

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S3/29/17
A Bill

HOUSE BILL 1866

By: Representative Lundstrum
By: Senator G. Stubblefield

For An Act To Be Entitled

AN ACT TO EXEMPT CERTAIN INFORMATION PERTAINING TO A
LAW ENFORCEMENT OFFICER FROM THE FREEDOM OF
INFORMATION ACT OF 1967; CONCERNING PUBLIC RECORD
WEBSITES; AND FOR OTHER PURPOSES.

Subtitle

TO EXEMPT CERTAIN INFORMATION PERTAINING
TO A LAW ENFORCEMENT OFFICER FROM THE
FREEDOM OF INFORMATION ACT OF 1967; AND
CONCERNING PUBLIC RECORD WEBSITES.

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

SECTION 1. Arkansas Code § 25-19-105(b), concerning the examination and copying of public records, is amended to add an additional subdivision to read as follows:

(24)(A)(i) Personal contact information, real property records, personal property records, and tax records of an active law enforcement officer if the active law enforcement officer submits the appropriate documentation to the relevant county recorder, county assessor, or county clerk that the active law enforcement officer requires, upon good cause, that the personal contact information, real property records, personal property records, or tax records be omitted from online searchable databases made available by a county.

(ii) As used in this subdivision (b)(24), "appropriate documentation" means the standardized form developed in



accordance with this act which shall include the signature of the:

(a) Supervisor of the active law enforcement officer; and

(b) Relevant department head of the law enforcement agency.

(B) A search or inquiry concerning real property records, personal property records, or tax records that are omitted under subdivision (b)(24)(A)(i) of this section shall be flagged to indicate that the personal contact information, real property records, personal property records, or tax records have been omitted.

(C)(i) Personal contact information, real property records, personal property records, or tax records that are omitted shall remain omitted for two (2) years.

(ii) An active law enforcement officer may submit appropriate documentation to the relevant county recorder, county assessor, or county clerk to extend the privacy of the personal contact information, real property records, personal property records, or tax records upon the expiration of the two-year period under subdivision (b)(24)(C)(i) of this section.

(D) This subdivision (b)(24) shall only apply to personal contact information, real property records, personal property records, or tax records that are made available by a county in an online searchable format.

SECTION 2. DO NOT CODIFY. Effective date.

Section 1 of this act shall become effective on and after May 1, 2018.

SECTION 3. DO NOT CODIFY. Temporary legislation.

(a) There is created a focus group to develop, by May 1, 2018, a standardized form that may be submitted by an active law enforcement officer to the relevant county recorder, county assessor, or county clerk to serve as notification that the active law enforcement officer requires the real property records, personal property records, or tax records to be private.

(b) The members of the focus group shall be appointed by the Speaker of the House of Representatives and membership shall consist of:

(1) One (1) circuit court county clerk in this state;

(2) One (1) county assessor in this state;

(3) One (1) county tax recorder in this state;

(4) One (1) representative of the banking industry in this state;

(5) One (1) representative from a title company in this state;
and

(6) One (1) active law enforcement officer in this state.

(c)(1) The focus group shall meet at least three (3) times before May 1, 2018.

(2) The focus group shall meet at least one (1) time during the months of August, December, and April.

(3) The focus group may conduct its meetings telephonically or through an online platform.

(d) The focus group shall expire on May 1, 2018.

/s/Lundstrum