

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: H3/20/17

A Bill

HOUSE BILL 1914

By: Representatives Gates, Ballinger, G. Hodges

By: Senators A. Clark, J. Cooper

For An Act To Be Entitled

*AN ACT TO AMEND THE LAW CONCERNING THE DISCLOSURE OF
INFORMATION RELATING TO A DEPENDENCY-NEGLECT
PROCEEDING OR A FAMILY IN NEED OF SERVICES
PROCEEDING; AND FOR OTHER PURPOSES.*

Subtitle

*TO AMEND THE LAW CONCERNING THE
DISCLOSURE OF INFORMATION RELATING TO A
DEPENDENCY-NEGLECT PROCEEDING OR A FAMILY
IN NEED OF SERVICES PROCEEDING.*

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

SECTION 1. Arkansas Code § 9-27-309, concerning the confidentiality of records relating to proceedings initiated under the Arkansas Juvenile Code, is amended to add an additional subdivision to read as follows:

(n)(1) A defendant in a dependency-neglect proceeding or family in need of services proceeding is not prohibited from disclosing information related to the proceeding unless the:

(A) Circuit court enters an order prohibiting the disclosure of information related to the proceeding; or

(B) Defendant is prohibited from disclosing the information under other applicable law or court order.

(2)(A) A circuit court may enter an order prohibiting the disclosure of information related to a dependency-neglect proceeding or a family in need of services proceeding if the circuit court finds by a



preponderance of the evidence that:

(i) A juvenile involved in the proceeding is likely to suffer harm if information related to the proceeding is disclosed; or

(ii)(a) An order prohibiting the disclosure of information is necessary to preserve another compelling state interest.

(b) An order prohibiting disclosure of information under subdivision (n)(2)(A)(ii) of this section shall be narrowly tailored to serve the compelling state interest and include sufficient findings of facts to support the order.

/s/Gates