

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

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 2242

By: Representatives Davis, Della Rosa

By: Senator Hester

For An Act To Be Entitled

AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF 1967 CONCERNING DATA RELATED TO A PUBLIC WATER SYSTEM OR MUNICIPALLY OWNED UTILITY SYSTEM; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE FREEDOM OF INFORMATION ACT OF 1967 CONCERNING DATA RELATED TO A PUBLIC WATER SYSTEM OR MUNICIPALLY OWNED UTILITY SYSTEM.

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

SECTION 1. Arkansas Code § 25-19-105(b)(18)-(20), concerning the examination and copying of public records, is amended to read as follows:

(18)(A) Records, including analyses, investigations, studies, reports, recommendations, requests for proposals, drawings, diagrams, blueprints, and plans containing information relating to security for any public water system or municipally owned utility system.

(B) The records under subdivision (b)(18)(A) include:

- (i) Risk and vulnerability assessments;
- (ii) Plans and proposals for preventing and mitigating security risks;
- (iii) Emergency response and recovery records;
- (iv) Security plans and procedures;
- (v) Plans and related information for generation,



transmission, and distribution systems; and

(vi) Other records containing information that if disclosed might jeopardize or compromise efforts to secure and protect the public water system or municipally owned utility system~~+~~

(C) However, this subsection shall not apply to a person or entity who is authorized by law to engage in the planning or construction of a project that requires the release of information under this subsection to facilitate the planning or construction of the project;

(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 a local, state, or federal 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 to assist in a criminal investigation or prosecution or to determine the validity of or eligibility for a license; and

(B) 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;

(20) Personal information of current and former public water system customers and municipally owned utility system customers, including without limitation:

(A) Home and mobile telephone numbers;

(B) Personal email addresses;

(C) Home and business ~~addressee~~ addresses; and

(D)(i) Customer usage data~~+~~.

(ii) However, a person or entity who is authorized by law to engage in the planning or construction of a project may obtain customer usage data if it is necessary to facilitate the planning or construction of the project;