

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1240

By: Representative Petty
By: Senator K. Hammer

For An Act To Be Entitled

AN ACT TO CREATE "SARAH'S LAW"; TO AMEND THE LAW
CONCERNING ACCESS TO CHILD MALTREATMENT RECORDS; AND
FOR OTHER PURPOSES.

Subtitle

TO CREATE AN ACT KNOWN AS "SARAH'S LAW".

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

SECTION 1. DO NOT CODIFY. Title.

This act shall be known and may be cited as "Sarah's Law".

SECTION 2. Arkansas Code § 12-18-710(e)(1), concerning the release of information on a completed investigation pending due process to an alleged offender, is amended to read as follows:

(1)(A) The alleged offender.

(B) An alleged offender who is not represented by counsel shall not be provided with:

(i) A digital recording of an interview conducted with a victim of child maltreatment;

(ii) The protected health information of a victim of child maltreatment;

(iii) The address of a victim of child maltreatment;

(iv) The name and address of a legal parent or caretaker of a victim of child maltreatment;

(v) The composition of the family of the victim of



child maltreatment; or

(vi) Services offered to and accepted by the victim of child maltreatment;

(C) Subdivision (e)(1)(B) of this section does not prohibit an alleged offender from viewing a digital recording of an interview conducted with the victim of child maltreatment in camera at the office of the Prosecuting Attorney.

SECTION 3. Arkansas Code § 12-18-909(g)(3), concerning whether a report may be made available to a person who is the subject of a true report, is amended to read as follows:

(3)(A) Any person who is the subject of a true report,

(B) A subject of a true report who is not represented by counsel shall not be provided with:

(i) A digital recording of an interview conducted with a victim of child maltreatment;

(ii) The protected health information of a victim of child maltreatment;

(iii) The address of a victim of child maltreatment;

(iv) The name and address of a legal parent or caretaker of a victim of child maltreatment;

(v) The composition of the family of the victim of child maltreatment; or

(vi) Services offered to and accepted by the victim of child maltreatment;

(C) Subdivision (g)(3)(B) of this section does not prohibit an alleged offender from viewing a digital recording of an interview conducted with the victim of child maltreatment in camera at the office of the Prosecuting Attorney.

SECTION 4. Arkansas Code § 12-18-910(f)(2), concerning whether an unsubstantiated report may be disclosed to a subject of the report, is amended to read as follows:

(2)(A) A subject of the report,

(B) A subject of an unsubstantiated report who is not represented by counsel shall not be provided with:

(i) A digital recording of an interview conducted with a victim of child maltreatment;

(ii) The protected health information of a victim of child maltreatment;

(iii) The address of a victim of child maltreatment;

(iv) The name and address of a legal parent or caretaker of a victim of child maltreatment;

(v) The composition of the family of the victim of child maltreatment; or

(vi) Services offered to and accepted by the victim of child maltreatment;

(C) Subdivision (f)(2)(B) of this section does not prohibit an alleged offender from viewing a digital recording of an interview conducted with the victim of child maltreatment in camera at the office of the Prosecuting Attorney.