

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

State of Arkansas *As Engrossed:* H2/28/19 H3/7/19 H3/20/19 H3/25/19

92nd General Assembly

# A Bill

Regular Session, 2019

HOUSE BILL 1382

By: Representative Sorvillo

By: *Senators Hickey, Teague*

## For An Act To Be Entitled

AN ACT TO EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT OF 1967 AND KEEP CONFIDENTIAL RECORDS AND INFORMATION CONCERNING A LOTTERY WINNER; AND FOR OTHER PURPOSES.

### Subtitle

TO EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT OF 1967 AND KEEP CONFIDENTIAL RECORDS AND INFORMATION CONCERNING A LOTTERY WINNER.

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

SECTION 1. Arkansas Code § 23-115-404 is amended to read as follows:  
23-115-404. Confidential information.

(a)(1) Except as provided in subdivision (a)(2) and subsections (b) and (c) of this section, the Office of the Arkansas Lottery shall comply with the Freedom of Information Act of 1967, § 25-19-101 et seq.

(2) The following records or information shall be treated as confidential and are exempt from public disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.:

(A) Information pertaining to the security of lottery games and lottery operations, including without limitation:

- (i) Security measures, systems, or procedures; and
- (ii) Security reports; ~~and~~

(B) Any records exempt from disclosure under the Freedom



of Information Act of 1967, § 25-19-101 et seq.; and

(C)(i) Any identifying records or information regarding a lottery winner who wins over five hundred thousand dollars (\$500,000) only if the lottery winner requests that his or her identifying records and information remain confidential and exempt from disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.

(ii) The office shall notify a lottery winner who wins over five hundred thousand dollars (\$500,000) of the option to remain confidential under subdivision (a)(2)(C)(i) of this section.

(iii) The exemption for a lottery winner who wins over five hundred thousand dollars (\$500,000) under subdivision (a)(2)(C)(i) of this section does not apply to an elected public official.

(iv) The office may make public the location at which a lottery winner under subdivision (a)(2)(C)(i) of this section purchased the winning lottery ticket.

(b) Except as otherwise required by law, an employee of the office or of an entity listed in subsection (c) of this section who has been given access to any identifying records or information regarding a lottery winner who wins over five hundred thousand dollars (\$500,000) shall not disclose the identifying records or information of the lottery winner who wins over five hundred thousand dollars (\$500,000) to another individual or entity.

~~(b)(c)~~ The following entities ~~Arkansas Legislative Audit~~ shall have full access to the records of the office:

- (1) The Internal Revenue Service;
- (2) Arkansas Legislative Audit;
- (3) The Department of Finance and Administration;
- (4) The Federal Bureau of Investigation; and
- (5) The Department of Arkansas State Police.

(d) The office shall require one of its employees to serve as a custodian who shall monitor lottery winners who win over five hundred thousand dollars (\$500,000) in a single lottery to ensure that a person who has won over five hundred thousand dollars (\$500,000) in multiple lotteries does not have information that influences or increases the person's chance of winning the lottery.

/s/Sorvillo