

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H4/1/19
A Bill

HOUSE BILL 1630

By: Representatives Lundstrum, Bentley, Brown, Christiansen, C. Cooper, Crawford, A. Davis, Evans,
Gates, M. Gray, Penzo, Richmond, B. Smith, Warren

By: Senator J. Cooper

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. TEMPORARY LANGUAGE. DO NOT CODIFY. Undercover Law Enforcement Officer Public Records Protection Study – Creation – Duties.

(a) There is created the Undercover Law Enforcement Officer Public Records Protection Study.

(b)(1) The study shall be conducted by a focus group to consist of the following members to be appointed by the Speaker of the House of Representatives:

(A) Three (3) members of the House of Representatives;

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

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

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



(E) One (1) representative of the Association of Arkansas Counties;

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

(G) Two (2) representatives from a title company in this state;

(H) Two (2) active or retired law enforcement officers in this state; and

(I) One (1) attorney licensed to practice law in the State of Arkansas.

(2) If a vacancy occurs within the focus group, the vacancy shall be filled by the same process as the original appointment.

(c)(1) The Speaker of the House of Representatives shall call the first meeting of the focus group within sixty (60) days of the effective date of this act.

(2) The Speaker of the House of Representatives shall designate a member of the focus group to serve as chair of the first meeting of the focus group.

(3) At the first meeting of the focus group, the members of the focus group shall elect from its membership a chair, vicechair, and secretary.

(4)(A) All meetings of the focus group shall be open public meetings under the Freedom of Information Act of 1967, Arkansas Code § 25-19-101, et seq..

(B) Meetings of the focus group may be held at any location in the state or by teleconference.

(C) Meetings of the focus group shall be held at least one (1) time every three (3) months but may occur more often at the call of the chair.

(5) The Bureau of Legislative Research shall provide staff services for the focus group.

(d) The purpose of the study is to examine and produce a method of protecting the privacy of active and undercover law enforcement officers in their personal lives by exempting certain records regarding the law enforcement officers' personal information from disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.

(e) To achieve the purpose of the study, the focus group shall:

(1) Develop a standardized information sheet that may be distributed by county clerks to active and undercover law enforcement officers encouraging them to shield all personal information of the law enforcement officer and his or her immediate family;

(2) Review the laws, rules, regulations, and processes currently in place regarding protections for active undercover law enforcement officers' personal information from public disclosure; and

(3) Recommend legislative changes, rule changes, regulatory changes, and procedural changes necessary in order to better protect the personal information of active undercover law enforcement officers from disclosure.

(f) During the 2020 Fiscal Session and on or before May 1, 2020, the focus group shall submit to a joint meeting of the House Committee on State Agencies and Governmental Affairs and the Senate Committee on State Agencies and Governmental Affairs a final written report of its activities, findings, and recommendations, including without limitation any proposed legislation for the 2021 Regular Session.

(g) The focus group expires on May 1, 2020.

/s/Lundstrum