

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1139

By: Representative Vaught

For An Act To Be Entitled

AN ACT CONCERNING THE STATE BOARD OF EMBALMERS,
FUNERAL DIRECTORS, CEMETERIES, AND BURIAL SERVICES;
AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE STATE BOARD OF EMBALMERS,
FUNERAL DIRECTORS, CEMETERIES, AND BURIAL
SERVICES.

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

SECTION 1. Arkansas Code § 23-61-1111, concerning the duties of the State Insurance Department in relation to the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services, is amended to add additional subsections to read as follows:

(c) All working papers, recorded information, documents, materials, and copies produced by, obtained by, or disclosed to the staff of the department in the course of an audit, examination, investigation, or inspection made under this subchapter, the laws governing embalmers and funeral directors under § 17-29-301 et seq., the Cemetery Act for Perpetually Maintained Cemeteries, § 20-17-1001 et seq., the Insolvent Cemetery Grant Fund Act, § 20-17-1301 et seq., or the laws governing burial associations under § 23-78-101 et seq.:

(1) Shall be treated as confidential and are not subject to the Freedom of Information Act of 1967, §§ 25-19-101 et seq., relating to open records;

(2) Shall not be subject to subpoena; and



(3) Shall not be made public by the staff of the department or any other person for the duration of the audit, examination, investigation, or inspection.

(d) All working papers, recorded information, documents, materials, and copies produced by, obtained by, or disclosed by the staff of the department or board in response to a request from staff of the department during the course of an audit, examination, investigation, or inspection:

(1) Shall be treated as confidential and are not subject to the Freedom of Information Act of 1967, §§ 25-19-101 et seq., relating to open records;

(2) Shall not be subject to subpoena; and

(3) Shall not be made public by the staff of the department or any other person during the duration of the audit, examination, investigation, or inspection.

(e) A recipient of any working papers, recorded information, documents, materials, and copies produced by, obtained by, or disclosed by the staff of the department or board under subsections (c) and (d) of this section other than the staff of the department shall agree in writing to treat the information as confidential as required by this section.