

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

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

SENATE BILL 546

By: Senators Hester, Gilmore

By: Representative Beaty Jr.

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING MAIL SENT TO A STATE INMATE; TO REQUIRE CERTAIN REDACTIONS FROM A CLIENT FILE MAILED TO A STATE INMATE; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING MAIL SENT TO A STATE INMATE; AND TO REQUIRE CERTAIN REDACTIONS FROM A CLIENT FILE MAILED TO A STATE INMATE.

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

SECTION 1. Arkansas Code § 12-29-106, concerning mail to or from inmates, is amended to add an additional subsection to read as follows:

(c)(1) As used in this subsection:

(A)(i) "Personal identifiable information" means information that could reasonably be used to contact or locate an individual, including without limitation the individual's date of birth, Social Security number, home address, phone number, email address, or emergency contact information.

(ii) "Personal identifiable information" does not include an individual's name;

(B) "Privileged mail" means the original or a copy of any legal mail or any information regarding the representation of an inmate by an attorney that is sent at the written request of the inmate to his or her



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attorney; and

(C) "Victim" means the same as defined in § 16-90-1101.

(2) An attorney representing an inmate incarcerated in a facility owned or operated by the Department of Corrections, a county jail or private prison facility pursuant to a contract with the department, or another facility pursuant to an interstate compact contract with the department shall redact all personal identifiable information linked to a victim, a witness, and any correctional employee from the client file before sending the client file to the inmate.

(3) An attorney sending privileged mail shall send an affidavit clearly addressed to the staff of the correctional facility certifying that the attorney has redacted all personal identifiable information as required under subdivision (c)(2) of this section.