

1 State of Arkansas  
2 94th General Assembly  
3 First Extraordinary Session, 2023

# A Bill

HOUSE BILL 1010

4  
5 By: Representatives J. Mayberry, Crawford, Long, R. Scott Richardson, Rye, Wooten

## For An Act To Be Entitled

8 AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF  
9 1967; TO EXEMPT CERTAIN SECURITY-RELATED RECORDS FROM  
10 DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT OF  
11 1967; TO REQUIRE THAT THE DIVISION OF ARKANSAS STATE  
12 POLICE PROVIDE TO THE LEGISLATIVE COUNCIL QUARTERLY  
13 REPORTS IDENTIFYING BY MONTH AND BUDGET CATEGORY  
14 CERTAIN EXPENSES; TO DECLARE AN EMERGENCY; AND FOR  
15 OTHER PURPOSES.

## Subtitle

16  
17  
18 TO AMEND THE FREEDOM OF INFORMATION ACT  
19 OF 1967; AND TO DECLARE AN EMERGENCY.  
20  
21  
22

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

24  
25 SECTION 1. Arkansas Code § 12-8-108(c), concerning information related  
26 to the security of the Governor’s Mansion and mansion grounds that is not  
27 subject to disclosure under the Freedom of Information Act of 1967, is  
28 amended to read as follows:

29 (c) Data, records, communications, surveillance footage, security  
30 procedures, emergency plans, and other information compiled or possessed by  
31 the division concerning the ~~Governor’s Mansion and mansion grounds~~ duties  
32 performed by the division as required under subsection (a) of this section  
33 are confidential and not subject to disclosure under the Freedom of  
34 Information Act of 1967, § 25-19-101 et seq.  
35

36 SECTION 2. Arkansas Code § 12-8-108, concerning the security of the



1 Governor, Governor's Mansion, and State Capitol building and grounds provided  
2 by the Division of Arkansas State Police, is amended to add an additional  
3 subsection to read as follows:

4 (d)(1) Except as provided under subdivision (d)(2) of this section,  
5 the division shall submit to the Legislative Council, or to the Joint Budget  
6 Committee if the General Assembly is in session, a report on a quarterly  
7 basis that identifies by month and budget category the expenses incurred by  
8 the Executive Protection Detail for services provided to the Governor.

9 (2) However, the division shall not include information in the  
10 quarterly report required under subdivision (d)(1) of this section if it  
11 violates subsection (a) of this section.

12  
13 SECTION 3. Arkansas Code § 25-19-105(b), concerning specific  
14 exemptions to the requirements under the Freedom of Information Act of 1967,  
15 is amended to add an additional subdivision to read as follows:

16 (28) Records that reflect the planning or provision of security  
17 services provided to the:

18 (A) Governor; or

19 (B) Lieutenant Governor, Attorney General, Secretary of  
20 State, Auditor of State, Treasurer of State, Commissioner of State Lands,  
21 members of the General Assembly, Justices of the Supreme Court, or Judges of  
22 the Court of Appeals.

23  
24 SECTION 4. RETROACTIVITY.

25 The following provisions of this act are retroactive to June 1, 2022,  
26 with regard to records identifying or otherwise regarding the minor children  
27 of the Governor:

28 (1) Section 1 of this act; and

29 (2) Arkansas Code § 25-19-105(b)(28)(A), created in Section 3 of  
30 this act.

31  
32 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the  
33 General Assembly of the State of Arkansas that the safety and security of the  
34 Governor and other state constitutional officers is of paramount importance  
35 to the peace, health, and safety of individuals in the State of Arkansas;  
36 that recent threats to certain state constitutional officers and their

1 families illustrate the need for enhanced protection of records pertaining to  
2 the security of certain state constitutional officers and their families in  
3 order to protect the public peace, health, and safety; that in order to  
4 ensure the continuity of state operations and preserve the secure nature of  
5 services provided to the Governor and other state constitutional officers,  
6 certain records pertaining to the safety and security of the Governor and  
7 other state constitutional officers must be confidential; that this act is  
8 immediately necessary because making public certain records concerning the  
9 safety and security of the Governor and other state constitutional officers  
10 would place the lives and security of the Governor and other state  
11 constitutional officers at a greater risk, thereby risking the peace, health,  
12 and safety afforded to Arkansans. Therefore, an emergency is declared to  
13 exist, and this act being immediately necessary for the preservation of the  
14 public peace, health, and safety shall become effective on:

15 (1) The date of its approval by the Governor;

16 (2) If the bill is neither approved nor vetoed by the Governor,  
17 the expiration of the period of time during which the Governor may veto the  
18 bill; or

19 (3) If the bill is vetoed by the Governor and the veto is  
20 overridden, the date the last house overrides the veto.

21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36