

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

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H3/17/25

A Bill

HOUSE BILL 1621

By: Representative Wardlaw

For An Act To Be Entitled

AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF 1967; TO EXEMPT PERSONAL INFORMATION OF ELECTED CONSTITUTIONAL OFFICERS, JUDICIAL OFFICIALS, ELECTED COUNTY OFFICIALS, ELECTED MUNICIPAL OFFICIALS, AND THEIR IMMEDIATE FAMILY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE FREEDOM OF INFORMATION ACT OF 1967; AND TO EXEMPT PERSONAL INFORMATION OF ELECTED CONSTITUTIONAL OFFICERS, JUDICIAL OFFICIALS, ELECTED COUNTY OFFICIALS, ELECTED MUNICIPAL OFFICIALS, AND THEIR IMMEDIATE FAMILY.

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

SECTION 1. Arkansas Code Title 25, Chapter 19, is amended to add an additional section to read as follows:

25-19-113. Personal information of elected constitutional officers, judicial officials, elected county officials, and their immediate family.

(a) As used in this section:

(1) "Elected constitutional officer" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, Commissioner of State Lands, and a member of the General Assembly;

(2) "Elected county official" means a county judge, a justice of the peace, a sheriff, a circuit clerk, a county clerk, an assessor, a



coroner, a treasurer, a county surveyor, and a collector of taxes;

(3) "Elected municipal official" means a person elected to an office in a city of the first class, a city of the second class, or an incorporated town;

(4) "Governmental entity" means a public official or employee, a governmental agency, or any other agency or improvement district that is wholly or partially supported by public funds or expending public funds;

(5) "Immediate family member" means:

(A) A spouse, former spouse, domestic partner, child, or parent of an elected constitutional officer, a judicial official, an elected county official, or an elected municipal official;

(B) A person who has a child in common with an elected constitutional officer, a judicial official, an elected county official, or an elected municipal official;

or

(C) A familial relative of an elected constitutional officer, a judicial official, an elected county official, or an elected municipal official whose permanent address is the same as that of the elected constitutional officer, the judicial official, the elected county official, or the elected municipal official;

(6) "Judicial official" means:

(A) An individual who is currently serving or has formerly served by election or appointment in the following positions:

(i) Justice of the Supreme Court;

(ii) Court of Appeals judge;

(iii) Circuit court judge;

(iv) District court judge; or

(v) Administrative judge of a state agency;

(B) An Eighth Circuit Court of Appeals Judge, United States District Court Judge, or United States Magistrate Judge in Arkansas;

or

(C) A prosecuting attorney.

(7) "Land records terminal" means any type of display, physical or virtual, accessible by the public, for a fee or no charge, that allows users to search and retrieve a real estate property database or geographic record;

(8) "Land records website" means a public website that allows users to search and retrieve information from a real estate property database or to search and retrieve geographic records; and

(9) "Social media account" means an online electronic medium or a live chat system that:

(A) Enables a user to interact with content generated by other third-party users of the social media platform;

(B) Enables a user to create an account or profile specific to the social media platform or to import a profile from another social media platform; and

(C) Enables one (1) or more users to generate content that can be viewed by another third-party user of the social media platform.

(b) A record that includes the following personal information of an elected constitutional officer, a judicial official, an elected county official, an elected municipal official, or an immediate family member shall not be deemed a public record under this chapter:

(1) A home address, including without limitation primary and secondary addresses;

(2) A home or personal mobile telephone number;

(3) A direct telephone number of a government-issued cell phone;

(4) A private extension telephone number for judicial chambers or a governmental office;

(5) A personal email address;

(6) A Social Security number, driver's license number, or a taxpayer identification number;

(7) Bank account information;

(8) Credit or debit card information;

(9) A home or other address displayed on property tax records, including without limitation the address of a secondary residence or an investment property where an elected constitutional officer, a judicial official, an elected county official, an elected municipal official, or an immediate family member resides;

(10) A license plate number or home address displayed on vehicle registration information;

(11) Identifying information of a child of an elected constitutional officer, a judicial official, an elected county official, or

an elected municipal official eighteen (18) years of age or younger or whose permanent residence is the same residence as that of an elected official, an elected county official, or an elected municipal official;

(12) A full date of birth;

(13) A photograph of a vehicle that legibly displays the license plate;

(14) A photograph of a residence that legibly displays the residence address;

(15) The name and address of a high school or day care facility attended by an immediate family member of an elected constitutional officer, a judicial official, an elected county official, or an elected municipal official;

(16) The name and address of an employer of an immediate family member of an elected constitutional officer, a judicial official, an elected county official, or an elected municipal official;

(17) The name and address of a place of worship attended by an elected constitutional officer, a judicial official, an elected county official, an elected municipal official or an immediate family member of an elected constitutional officer, a judicial official, an elected county official, or an elected municipal official; or

(18) Voter registration information or the contents of any application for an absentee voter ballot.

(c)(1) A governmental entity shall not post or display the personal information under subsection (b) of this section of an elected constitutional officer, a judicial official, an elected county official, an elected municipal official or an immediate family member in a manner that is available to the public:

(A) Free of charge or for a fee in written or electronic form; or

(B) On a social media account, governmental entity website, land records terminal, or land records website.

(2)(A) If a governmental entity posts or displays personal information of an elected constitutional officer, a judicial official, an elected county official, an elected municipal official, or an immediate family member under subdivision (c)(1) of this section, the elected constitutional officer, the judicial official, the elected county official,

or the elected municipal official may send a written request to the governmental entity to remove the personal information.

(B) Upon receiving a written request under subdivision (c)(2)(A) of this section, the governmental entity shall remove the personal information within three (3) days of the request.

/s/Wardlaw