

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: S4/9/25 S4/9/25

A Bill

SENATE BILL 614

By: Senator C. Tucker
By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF 1967; TO AMEND THE LAW CONCERNING OPEN PUBLIC MEETINGS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE FREEDOM OF INFORMATION ACT OF 1967; AND TO AMEND THE LAW CONCERNING OPEN PUBLIC MEETINGS.

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

SECTION 1. Arkansas Code § 25-19-106, as amended by SB227 of 2025, is amended to add an additional subsection to read as follows:

(j)(1) Notwithstanding any provision to the contrary, if a circuit court finds that a governing body or a member of a governing body violated this section concerning the issuance of bonds, the circuit court may only invalidate the action by the governing body authorizing the issuance of bonds within thirty (30) days of the date the action occurred.

(2) If a circuit court makes a finding described under subdivision (j)(1) of this section more than thirty (30) days after the action by the governing body authorizing the issuance of the bonds:

(A) The governing body shall cure the violation within thirty (30) days after the finding of the circuit court by:

(i) Providing notice of the violation in compliance with subsection (b) of this section;

(ii) Disclosing the violation at a public meeting;

and



(iii) Authorizing the action in question at the public meeting in compliance with subdivision (a)(5) of this section; or

(B)(i) The circuit court shall impose a civil penalty of one thousand dollars (\$1,000) on each individual member of the governing body, up to the entire membership of the governing body, who the circuit court finds committed or was otherwise responsible for the violation.

(ii) The civil penalty under subdivision (j)(2)(B)(i) of this section shall:

(a) Be paid to the claimant asserting the claim in circuit court within thirty (30) days of the finding of the circuit court under subdivision (j)(1) of this section; and

(b) Not be satisfied by public funds.

(3) The remedies under subdivision (j)(2) of this section are supplemental to all other remedies available under this chapter within the applicable statute of limitations.

(4) As used in this subsection, "bonds" means bonds and other debt-related instruments, including without limitation a short-term financing obligation, under Arkansas Constitution, Amendment 78.

SECTION 2. DO NOT CODIFY. Contingency.

(a) Section 1 of this act shall become effective only if SB227 of the Ninety-Fifth General Assembly is enacted by the General Assembly and becomes an act.

(b) If SB227 of the Ninety-Fifth General Assembly does not become an act, Section 1 of this act shall not become effective.

/s/C. Tucker