

As Engrossed: 3/9/93

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 895 OF 1993
HOUSE BILL 1009

4 **By: Representatives Dawson and Owens**

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For An Act To Be Entitled

8 "AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT TO PROTECT
9 THE IDENTITY OF LAW ENFORCEMENT OFFICERS WORKING
10 UNDERCOVER; AND FOR OTHER PURPOSES."

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Subtitle

13 "TO AMEND THE FREEDOM OF INFORMATION ACT TO PROTECT THE
14 IDENTITY OF LAW ENFORCEMENT OFFICERS WORKING UNDERCOVER."

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

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18 SECTION 1. Arkansas Code 25-19-105(b) is amended to read as follows:

19 "(b) It is the specific intent of this section that the following shall
20 not be deemed to be made open to the public under the provisions of this
21 chapter:

22 (1) State income tax records;

23 (2) Medical records, scholastic records, and adoption records;

24 (3) The site files and records maintained by the Arkansas Historic
25 Preservation Program and the Arkansas Archeological Survey;

26 (4) Grand jury minutes;

27 (5) Unpublished drafts of judicial or quasi-judicial opinions and
28 decisions;

29 (6) Undisclosed investigations by law enforcement agencies of suspected
30 criminal activity;

31 (7) Unpublished memoranda, working papers, and correspondence of the
32 Governor, members of the General Assembly, Supreme Court Justices, and the
33 Attorney General;

34 (8) Documents which are protected from disclosure by order or rule of
35 court;

36 (9) (A) Files which, if disclosed, would give advantage to competitors

1 or bidders; and

2 (B) Records maintained by the Arkansas Industrial Development
3 Commission related to any business entity's planning, site location,
4 expansion, operations, or product development/marketing, unless approval for
5 release of such records is granted by the business entity; provided, however,
6 this exemption shall not be applicable to any records of expenditures or
7 grants made or administered by the Arkansas Industrial Development Commission
8 and otherwise disclosable under the provisions of this chapter; and

9 (10) Personnel records to the extent that disclosure would constitute
10 clearly unwarranted invasion of personal privacy; and

11 (11) The identity of law enforcement officers *currently working*
12 *undercover with their agency and identified in the Arkansas Minimum Standards*
13 *Office as an undercover officer. Records of the number of undercover officers*
14 *an agency lists are not exempt from this chapter."*

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16 SECTION 2. All provisions of this act of a general and permanent nature
17 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
18 Revision Commission shall incorporate the same in the Code.

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20 SECTION 3. If any provision of this act or the application thereof to
21 any person or circumstance is held invalid, such invalidity shall not affect
22 other provisions or applications of the act which can be given effect without
23 the invalid provision or application, and to this end the provisions of this
24 act are declared to be severable.

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26 SECTION 4. All laws and parts of laws in conflict with this act are
27 hereby repealed.

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29 /s/Rep. Dawson, et al

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31 APPROVED: 4/6/93

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