

2 State of Arkansas
3 92nd General Assembly
4 Regular Session, 2019

A Bill

SENATE BILL 521

5
6 By: Senator K. Hammer

7 Filed with: Senate Committee on State Agencies and Governmental Affairs
8 pursuant to A.C.A. §10-3-217.

9 For An Act To Be Entitled

10 AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF
11 1967; TO AMEND THE DEFINITION OF "PUBLIC RECORDS";
12 AND FOR OTHER PURPOSES.

13 14 15 Subtitle

16 TO AMEND THE FREEDOM OF INFORMATION ACT
17 OF 1967; AND TO AMEND THE DEFINITION OF
18 "PUBLIC RECORDS".

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

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23 SECTION 1. Arkansas Code § 25-19-103(7), concerning the definition of
24 "public records" under the Freedom of Information Act of 1967, is amended to
25 read as follows:

26 "(7)(A) "Public records" means writings, recorded sounds, films,
27 tapes, electronic or computer-based information, or data compilations in any
28 medium required by law to be kept or otherwise kept and that constitute a
29 record of the performance or lack of performance of official functions that
30 are or should be carried out by a public official or employee, a governmental
31 agency, an entity under subdivision (7)(C) of this section, or any other
32 agency or improvement district that is wholly or partially supported by
33 public funds or expending public funds. All records maintained in public
34 offices or by public employees within the scope of their employment ~~shall be~~
35 are presumed to be public records.

1 (B) "Public records" does not mean software acquired by
2 purchase, lease, or license+.

3 (C)(i) "Public records" includes the records identified in
4 subdivision (7)(A) of this section maintained by a private foundation with
5 the primary purpose of providing direct financial support to a public
6 university or college or public university or college employees;

7 (ii) "Public records" under subdivision (7)(C)(i) of
8 this section does not include identifying information of donors, potential
9 donors, non-donors, or individual donor amounts to the private foundation.

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12 Referred requested by the Arkansas Senate

13 Prepared by: MLD/VJF
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