

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

SENATE BILL 742

4  
5 By: Senator Madison  
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## For An Act To Be Entitled

8  
9 AN ACT TO AMEND THE ARKANSAS FREEDOM OF  
10 INFORMATION ACT OF 1967 TO DENY ACCESS TO PUBLIC  
11 RECORDS TO ANY FELON WHO IS CURRENTLY  
12 INCARCERATED IN A CORRECTIONAL FACILITY; TO ALLOW  
13 ACCESS TO PUBLIC RECORDS TO A FELON'S ATTORNEY;  
14 AND FOR OTHER PURPOSES.  
15

## Subtitle

16  
17 AN ACT TO AMEND THE ARKANSAS FREEDOM OF  
18 INFORMATION ACT TO DENY ACCESS TO PUBLIC  
19 RECORDS TO ANY FELON WHO IS CURRENTLY  
20 INCARCERATED IN A CORRECTIONAL FACILITY.  
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22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code § 25-19-105(a), concerning the right to  
26 inspect and copy public records, is amended to read as follows:

27 (a)(1)(A) Except as otherwise specifically provided by this section or  
28 by laws specifically enacted to provide otherwise, all public records shall  
29 be open to inspection and copying by any citizen of the State of Arkansas  
30 during the regular business hours of the custodian of the records.

31 (B)(i) However, access to inspect and copy public records  
32 shall be denied to a person who, at the time of the request, has pleaded  
33 guilty to or been found guilty of a felony and is incarcerated in a  
34 correctional facility.

35 (ii) Access to inspect and copy public records shall  
36 also be denied to the representative of a person under (a)(1)(B)(i) of this



1 section, unless the representative is the person's attorney who is requesting  
2 information that is subject to disclosure under this section.

3 (2)(A) A citizen may make a request to the custodian to inspect,  
4 copy, or receive copies of public records.

5 (B) The request may be made in person, by telephone, by  
6 mail, by facsimile transmission, by electronic mail, or by other electronic  
7 means provided by the custodian.

8 (C) The request shall be sufficiently specific to enable  
9 the custodian to locate the records with reasonable effort.

10 (3) If the person to whom the request is directed is not the  
11 custodian of the records, the person shall so notify the requester and  
12 identify the custodian, if known to or readily ascertainable by the person.

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