

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4  
5 By: Senator K. Hammer

# A Bill

SENATE BILL 521

## For An Act To Be Entitled

8 AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF  
9 1967; TO AMEND THE DEFINITION OF "PUBLIC RECORDS";  
10 AND FOR OTHER PURPOSES.

## Subtitle

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

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

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

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

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

36 (C)(i) "Public records" includes the records identified in



1 subdivision (7)(A) of this section maintained by a private foundation with  
2 the primary purpose of providing direct financial support to a public  
3 university or college or public university or college employees;

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

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