

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

A Bill

ACT 1018 OF 1993
HOUSE BILL 1809

4 **By: Representatives Maddox and Landers**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 26-51-813 AND 26-
9 18-303 TO AUTHORIZE THE COMMISSIONER OF REVENUES OF THE
10 DEPARTMENT OF FINANCE AND ADMINISTRATION TO DISCLOSE TO
11 THE ARKANSAS DEPARTMENT OF HIGHER EDUCATION AND ARKANSAS
12 PUBLIC INSTITUTIONS OF HIGHER EDUCATION THE LAST KNOWN
13 ADDRESS OR WHEREABOUTS AND LAST KNOWN EMPLOYER OF ANY
14 PERSON FROM WHOM SAID INSTITUTIONS ARE CHARGED WITH
15 COLLECTING STUDENT INDEBTEDNESS; AND FOR OTHER PURPOSES."

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Subtitle

"AUTHORIZE COMMISSIONER OF REVENUES TO DISCLOSE THE LAST
KNOWN ADDRESS & EMPLOYER OF PERSONS FROM WHOM INSTITUTIONS
CAN COLLECT STUDENT INDEBTEDNESS."

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

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24 SECTION 1. Arkansas Code 26-51-813 is hereby amended to add the
25 following paragraph (g) at the end thereof:

26 "(g) Nothing in this section shall be construed to prohibit the
27 Department of Finance and Administration from disclosing from any return or
28 other record maintained by the director to the Arkansas Department of Higher
29 Education or any Arkansas Public Institution of Higher Education the last
30 known address or whereabouts and/or the last known employer of any person from
31 whom these institutions are charged with collecting student indebtedness. In
32 providing this information the department shall not allow the said Arkansas
33 Department of Higher Education or the Arkansas Public Institutions of Higher
34 Education to examine the tax return."

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36 SECTION 2. Arkansas Code 26-18-303(b)(9) is hereby amended to read as

1 follows:

2 "(9) Disclosure to the Arkansas Student Loan Authority, the Arkansas
3 Department of Higher Education, the Student Loan Guarantee Foundation of
4 Arkansas, or any Arkansas Public Institution of Higher Education of the last
5 known address or whereabouts or the last known employer of any person from
6 whom these agencies are charged with collecting a student loan or other
7 student indebtedness. In providing such information, the director shall not
8 allow the Arkansas Student Loan Authority, the Student Loan Guarantee
9 Foundation of Arkansas, the Arkansas Department of Higher Education, or any
10 Arkansas Public Institution of Higher Education to examine the tax return;"

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12 SECTION 3. All provisions of this act of a general and permanent nature
13 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
14 Revision Commission shall incorporate the same in the Code.

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16 SECTION 4. If any provision of this act or the application thereof to
17 any person or circumstance is held invalid, such invalidity shall not affect
18 other provisions or applications of the act which can be given effect without
19 the invalid provision or application, and to this end the provisions of this
20 act are declared to be severable.

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22 SECTION 5. All laws and parts of laws in conflict with this act are
23 hereby repealed.

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25 SECTION 6. EMERGENCY. It is hereby found and determined by the General
26 Assembly that the Arkansas Public Institutions of Higher Education are charged
27 with collecting student indebtedness and that in some cases those institutions
28 are unable to locate persons who fail to make payment of their student
29 indebtedness; that all reasonable assistance should be given those agencies in
30 locating persons who fail to pay or repay student tuition, fees, loans, and
31 other student indebtedness; that this act is designed to aid those
32 institutions in locating such persons by authorizing the Commissioner of
33 Revenues to disclose to those agencies information concerning the last known
34 address and/or last known employer of such persons. Therefore, an emergency
35 is hereby declared to exist and this act being necessary for the immediate

1 preservation of the public peace, health and safety shall be in full force and
2 effect from and after its passage and approval.

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APPROVED: 4/12/93

