

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 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 917 of 2001
SENATE BILL 873

5 By: Senator Everett
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 12-12-312 TO ALLOW
10 A PUBLIC DEFENDER TO RELEASE INFORMATION RETAINED
11 BY THE STATE CRIME LABORATORY; AND FOR OTHER
12 PURPOSES.
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Subtitle

14 AN ACT TO AMEND ARKANSAS CODE 12-12-312
15 TO ALLOW A PUBLIC DEFENDER TO RELEASE
16 INFORMATION RETAINED BY THE STATE CRIME
17 LABORATORY.
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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 12-12-312 is amended to read as follows:

24 12-12-312 Records confidential and privileged - Exception - Release

25 (a)(1) The records, files and information kept, obtained, or retained
26 by the State Crime Laboratory under the provisions of this subchapter shall
27 be privileged and confidential. They shall be released only under and by the
28 direction of a court of competent jurisdiction, ~~or~~ the prosecuting attorney
29 having criminal jurisdiction over the case, or the public defender appointed
30 or assigned to the case. Provided, that nothing in this section shall be
31 construed to diminish the right of a defendant or his attorney to full access
32 to all records pertaining to the case, and provided further, that the State
33 Crime Laboratory shall disclose to a defendant or his attorney all evidence
34 in the defendant's case.

35 (2) However, a full report of the facts developed by the State Medical
36 Examiner or his assistants shall be promptly filed with the law enforcement

1 agencies, coroner, and prosecuting attorney of the jurisdiction in which the
2 death occurred.

3 (b) The board shall promulgate rules and regulation not contrary to
4 law regarding the release of reports and information by the staff of the
5 State Crime Laboratory.

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APPROVED: 3/19/2001