

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/23/11

A Bill

HOUSE BILL 2029

5 By: Representatives Perry, *Bell*
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAWS CONCERNING ACCESS TO
9 INFORMATION HELD BY THE ARKANSAS CRIME INFORMATION
10 CENTER; AND FOR OTHER PURPOSES.
11

Subtitle

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14 TO AMEND THE LAWS CONCERNING ACCESS TO
15 INFORMATION HELD BY THE ARKANSAS CRIME
16 INFORMATION CENTER.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 12-12-212 is amended to read as follows:

22 12-12-212. Release or disclosure to unauthorized person – Penalty.

23 (a) Every A person who shall release or disclose any information
24 authorized to be maintained and collected under this subchapter to another
25 person known to lack authority to receive such information and any person who
26 willfully obtains that information for purposes not specified by this
27 subchapter shall be deemed is guilty of a Class D felony Class A misdemeanor
28 upon conviction if the person:

29 (1) Knowingly accesses information or willfully obtains
30 information collected and maintained under this subchapter for a purpose not
31 specified by this subchapter; or

32 (2) Knowingly releases or discloses information maintained under
33 this subchapter to another person who lacks authority to receive the
34 information.

35 (b) A person is guilty of a Class D felony upon conviction if the
36 person violates subsection (a) of this section for the purpose of;



1 (1) Furthering the commission of a misdemeanor offense or felony
 2 offense by the person or another person;

3 (2) Enhancing or assisting a person's position in a legal
 4 proceeding in this state or influencing the outcome of a legal proceeding in
 5 this state for the benefit of the person or a member of the person's family;

6 (3) Causing a pecuniary or professional gain for the person or a
 7 member of the person's family; or

8 (4) Political purposes for the person or a member of the
 9 person's family.

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 11 SECTION 2. Arkansas Code § 12-12-1002(b), concerning penalties for
 12 crime reporting and investigations, is amended to read as follows:

13 ~~(b)(1) Upon conviction, any person who knowingly releases or discloses~~
 14 ~~to any unauthorized person any information collected and maintained under~~
 15 ~~this subchapter and any person who knowingly obtains information collected~~
 16 ~~and maintained under this subchapter for purposes not authorized by this~~
 17 ~~subchapter is guilty of a Class D felony~~ A person is guilty of a Class A
 18 misdemeanor upon conviction if the person:

19 (1) Knowingly accesses information or willfully obtains
 20 information collected and maintained under this subchapter for a purpose not
 21 specified by this subchapter; or

22 (2) Knowingly releases or discloses information maintained under
 23 this subchapter to another person who lacks authority to receive the
 24 information.

25 (c) A person is guilty of a Class D felony upon conviction if the
 26 person violates subsection (a) of this section for the purpose of;

27 (1) Furthering the commission of a misdemeanor offense or felony
 28 offense by the person or another person;

29 (2) Enhancing or assisting a person's position in a legal
 30 proceeding in this state or influencing the outcome of a legal proceeding in
 31 this state for the benefit of the person or a member of the person's family;

32 (3) Causing a pecuniary or professional gain for the person or a
 33 member of the person's family; or

34 (4) Political purposes for the person or a member of the
 35 person's family.

36 ~~(2)(d)~~ (d) A person convicted ~~for~~ of violating subdivision ~~(b)(1)~~

1 subsection (c) of this section is subject to an additional fine of not more
2 than five hundred thousand dollars (\$500,000).

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4 *SECTION 3. DO NOT CODIFY. The provisions of this act shall not be*
5 *retroactive.*

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7 */s/Perry*

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10 **APPROVED: 04/06/2011**

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