

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.

Act 1252 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/7/05

A Bill

HOUSE BILL 1385

5 By: Representatives Overbey, Medley
6
7

For An Act To Be Entitled

9 AN ACT TO CLARIFY PROCEDURES FOR MUNICIPAL RECORD
10 RETENTION; AND FOR OTHER PURPOSES.
11

Subtitle

13 AN ACT TO CLARIFY PROCEDURES FOR
14 MUNICIPAL RECORD RETENTION.
15
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

19 SECTION 1. Arkansas Code § 14-2-203 is amended to read as follows:
20 14-2-203. Disposal, etc., of copied records.

21 (a) Whenever reproductions of public records have been made in
22 accordance with § 14-2-201 and have been placed in conveniently accessible
23 files or other suitable format and provision has been made for preserving,
24 examining, and using them, the head of a county office or department or city
25 office or department may certify those facts to the county court or to the
26 mayor of a municipality, respectively, who shall have the power to authorize
27 the disposal, archival storage, or destruction of the records.

28 (b) Cities of the first class, cities of the second class, and
29 incorporated towns may by ordinance declare a policy of record retention and
30 disposal provided that:

31 (1) The city or town complies with any specific statute
32 regarding municipal records; and

33 (2) The following records are maintained permanently in either
34 the original or electronic format as required by law:

35 (A) Ordinances;



- 1 (B) City council minutes;
- 2 (C) Resolutions;
- 3 (D) Annual financial audits; and
- 4 (E) Year-end financial statements.

5

6 SECTION 2. Arkansas Code § 14-2-204 is amended to read as follows:

7 14-2-204. Municipal police department records.

8 (a) All municipalities of the State of Arkansas shall maintain records

9 for the city or town police department or marshal’s office, if the records

10 are currently being maintained, as follows:

11 (1) Maintain ~~permanently~~ for seven (7) years after closure of

12 the case file or permanently, as the municipality shall determine, provided

13 that §§ 14-2-203(b)(1) and 12-12-104 are complied with and that records

14 related to crimes of violence as defined by § 5-42-203 are maintained

15 permanently:

16 (A) Closed municipal police case files for felony and

17 Class A misdemeanor offenses; and

18 (B) Expungement orders of municipal police cases; and

19 (2) Maintain for three (3) years:

20 (A) Accident reports;

21 (B) Incident reports;

22 (C) Offense reports;

23 (D) Fine and bond records;

24 (E) Parking meter records;

25 (F) Radio logs and complaint cards; and

26 (G) Employment records, payroll sheets, time cards, and

27 leave requests.

28 (b)(1) However, if maintained for more than ten (10) years after the

29 date the record was created, records under subdivision (a)(1) of this section

30 may be copied and maintained in accordance with § 14-2-203.

31 (2) Records under subdivision (a)(2) of this section may be

32 copied in accordance with § 14-2-203 or are subject to disposal after the

33 specified time period has passed.

34

35

36

/s/ Overbey

1

APPROVED: 3/29/2005