

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

A Bill

HOUSE BILL 1926

5 By: Representative J. Edwards
6

For An Act To Be Entitled

8 AN ACT REGARDING RECORDS KEPT BY THE STATE CRIME
9 LABORATORY; AND FOR OTHER PURPOSES.

Subtitle

12 REGARDING RECORDS KEPT BY THE STATE CRIME
13 LABORATORY.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 12-12-312(a), regarding records kept by the
20 State Crime Laboratory, is amended to read as follows:

21 (a)(1)(A)(i) The records, files, and information kept, obtained, or
22 retained by the State Crime Laboratory under ~~the provisions of this~~
23 subchapter ~~shall be~~ are privileged and confidential.

24 (ii) The records, files, and information shall be
25 released only under and by the direction of a court of competent
26 jurisdiction, the prosecuting attorney having criminal jurisdiction over the
27 case, or the public defender appointed or assigned to the case.

28 (B)(i) ~~Nothing in this section shall be construed to~~ This
29 section does not diminish the right of a defendant or his or her attorney to
30 full access to all records pertaining to the case.

31 (ii) The laboratory shall disclose to a defendant or
32 his or her attorney all evidence in the defendant's case that is kept,
33 obtained, or retained by the laboratory.

34 (iii) The Department of Health may access autopsy
35 records, files, and information under this subchapter for the purpose of
36 implementing the quality improvement provisions of the Trauma System Act, §



1 20-13-801 et seq. and the rules adopted by the State Board of Health under
2 the Trauma System Act, § 20-13-801 et seq.

3 (2) However, a full report of the facts developed by the State
4 Medical Examiner or his or her assistants shall be promptly filed with the
5 law enforcement agencies, county coroner, and prosecuting attorney of the
6 jurisdiction in which the death occurred.

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9 **APPROVED: 03/31/2011**
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