

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 266

4
5 By: Senator Irvin

For An Act To Be Entitled

8 AN ACT CONCERNING THE DISSEMINATION OF A PERSON'S
9 CRIMINAL HISTORY INFORMATION; AND FOR OTHER PURPOSES.

Subtitle

11
12 CONCERNING THE DISSEMINATION OF A
13 PERSON'S CRIMINAL HISTORY INFORMATION.

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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 § 12-12-1010 is amended to read as follows:
20 12-12-1010. Dissemination of criminal history information for other
21 purposes.

22 (a)(1) Criminal history information shall be made available to the
23 Governor for purposes of carrying out the Governor's constitutional authority
24 involving pardons, executive clemencies, extraditions, or other duties
25 specifically authorized by law.

26 (2) Criminal history information may be made available to:

27 (A) Persons performing research related to the
28 administration of criminal justice, subject to conditions approved by the
29 central repository or the Identification Bureau of the Department of Arkansas
30 State Police to assure the security of the information and the privacy of
31 individuals to whom the criminal history information relates; and

32 (B) Private contractors ~~providing penitentiary services to~~
33 housing state inmates for a governmental criminal justice agency ~~pursuant to~~
34 under a specific agreement approved by the Arkansas Crime Information Center
35 ~~which~~ that limits the use of the criminal history information to the purposes
36 for which given to ensure the security and confidentiality of the criminal



1 history information.

2 (b)(1) Criminal history information shall be made available according
3 to ~~the provisions of~~ the National Crime Prevention and Privacy Compact, 42
4 U.S.C. § 14616, as it existed on January 1, 2001.

5 (2)(A) The General Assembly approves and ratifies the National
6 Crime Prevention and Privacy Compact, 42 U.S.C. § 14616, as it existed on
7 January 1, 2001, ~~and the compact shall remain in effect until legislation is~~
8 ~~enacted renouncing the compact.~~

9 (B) The Director of the Arkansas Crime Information Center,
10 ~~the repository of criminal history records,~~ shall execute, administer, and
11 implement the compact on behalf of the state and may adopt necessary rules,
12 regulations, and procedures for the national exchange of criminal history
13 ~~records~~ information for noncriminal justice purposes.

14 (C) Ratification of the compact does not affect the
15 obligations and responsibilities of the center regarding the dissemination of
16 criminal history ~~records~~ information within Arkansas.

17 (c)(1) Criminal history information may be requested by a noncriminal
18 justice agency and shall be made available after a review and express
19 approval of dissemination by the director.

20 (2) Requests for criminal history information by a noncriminal
21 justice agency shall be made to the director and shall include:

22 (A) The specific criminal history information being
23 requested;

24 (B) A list of all persons who will have access to the
25 criminal history information;

26 (C) A detailed description of how the criminal history
27 information will be used and protected; and

28 (D) A named temporary custodian of the criminal history
29 information received.

30 (3) Criminal history information that is requested under this
31 subsection is limited to criminal history information pertaining to criminal
32 offenses that occurred in Arkansas.

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APPROVED: 3/20/19

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