

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S4/22/21

A Bill

HOUSE BILL 1884

5 By: Representative Eaves
6 By: Senator J. Dismang
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW GOVERNING A COUNTY'S
10 OBLIGATIONS REGARDING THE PRODUCTION OF ELECTRONIC
11 PUBLIC RECORDS IN BULK ON REQUEST; AND FOR OTHER
12 PURPOSES.
13
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Subtitle

16 TO AMEND THE LAW GOVERNING A COUNTY'S
17 OBLIGATIONS REGARDING THE PRODUCTION OF
18 ELECTRONIC PUBLIC RECORDS IN BULK ON
19 REQUEST.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 14-14-111(b)(1), concerning the definitions
25 used for purposes of the law governing counties' electronic records, is
26 amended to read as follows:

27 (1) "Administrative rights" means permissions and powers,
28 including without limitation the permissions and powers to access, alter,
29 copy, download, extract, read, record, upload, write, or otherwise manipulate
30 and maintain records kept by a county official;
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32 SECTION 2. Arkansas Code § 14-14-111(c), concerning counties'
33 obligations regarding the maintenance and disclosure of electronic records,
34 is amended to read as follows:

35 (c)(1) A county official required by law to maintain public records
36 and who in the normal performance of official duties chooses to keep and



1 maintain the records in an electronic record ~~retains~~ shall retain complete
2 administrative rights and complete access to all the records.

3 (2) A contract between a county and an electronic record
4 provider shall:

5 (A) ~~include~~ Include the information under subdivision
6 (c)(1) of this section; and

7 (B) Require the contractor to provide the county official,
8 at his or her request, with a written list of all file formats in which
9 electronic records are stored.

10
11 SECTION 3. Arkansas Code § 14-14-112(a), concerning a county's
12 obligations regarding the bulk copying of electronic public records on
13 request, is amended to read as follows:

14 (a) In the absence of an existing agreement or county ordinance, a
15 county official may negotiate with a commercial, nonpress entity that
16 requests public records in bulk regarding a reasonable fee for mass
17 duplication, copying, or bulk electronic access of public records.

18
19 SECTION 4. Arkansas Code § 14-14-112, concerning a county's
20 obligations regarding the bulk copying of electronic public records on
21 request, is amended to add an additional subsection to read as follows:

22 (d)(1) A county that receives a request for bulk public records by a
23 commercial, nonpress entity shall provide nonencrypted, bulk public records
24 in the format requested, as long as the requested format exists in the
25 software.

26 (2)(A) If the county contracts with a third-party electronic
27 record provider, the electronic record provider shall enable the county to
28 extract the public records in a common file format that does not disclose the
29 proprietary software code of the third-party electronic record provider and
30 does not impair the accessibility and usability of the data.

31 (B) As used in subdivision (d)(2)(A) of this section,
32 "common file format" includes without limitation the American Standard Code
33 for Information Interchange and, for large databases, comma separated values.

34 (3)(A) Electronic public records provided under this subsection
35 shall not include redacted data.

36 (B) This subsection does not apply to audio or video file

1 formats.

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/s/Eaves

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APPROVED: 4/30/21

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