

**ARKANSAS SENATE**  
86th General Assembly - Regular Session, 2007  
**Amendment Form**

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**Subtitle of Senate Bill No. 947**

"TO AMEND THE FREEDOM OF INFORMATION ACT PROVISIONS AFFECTING THE  
RECORDS AND MEETINGS OF PUBLIC WATER SYSTEMS."

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**Amendment No. 1 to Senate Bill No. 947.**

Amend Senate Bill No. 947 as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 25-19-103(6), as amended by Act 268 of the 2007 Regular Session and concerning the definition of "public water system", is amended to read as follows:

(6)(A) "Public water system" means all facilities composing a system for the collection, treatment, and delivery of drinking water to the general public, including, but not limited to, reservoirs, pipelines, reclamation facilities, processing facilities, and distribution facilities~~;~~.

(B) This subdivision (6) shall expire on July 1, 2009; and

SECTION 2. Arkansas Code § 25-19-105(b)(15) and (16), as amended by Act 268 of the 2007 Regular Session, are amended to add an additional subdivision to read as follows:

(15) Military service discharge records or DD Form 214, the Certificate of Release or Discharge from Active Duty of the United States Department of Defense, filed with the county recorder as provided under § 14-2-102, for veterans discharged from service less than seventy (70) years from the current date; ~~and~~

(16) Vulnerability assessments submitted by a public water system on or before June 30, 2004, to the Administrator of the United States Environmental Protection Agency for a period of ten (10) years from the date of submission~~;~~; and

(17)(A) Records, including analyses, investigations, studies, reports, recommendations, requests for proposals, drawings, diagrams, blueprints, and plans, containing information relating to security for any public water system.

(B) The records shall include:

(i) Risk and vulnerability assessments;

(ii) Plans and proposals for preventing and mitigating security risks;

(iii) Emergency response and recovery records;



(iv) Security plans and procedures; and  
(v) Any other records containing information that if disclosed might jeopardize or compromise efforts to secure and protect the public water system.

(C) This subdivision (b)(17) shall expire on July 1, 2009.

SECTION 3. Arkansas Code § 25-19-106(c), concerning the expiration date for a public agency to meet in executive session about a public water system security, is amended to add an additional subdivision to read as follows:

(6)(A) Subject to the provisions of subdivision (c)(4) of this section, any public agency may meet in executive session for the purpose of considering, evaluating, or discussing matters pertaining to public water system security as described in § 25-19-105(b)(17).

(B) This subdivision (c)(6) shall expire on July 1, 2009.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that certain provisions in the Freedom of Information Act concerning the records and meetings of public water systems will expire on July 1, 2007; that those provisions are necessary to ensure that public water systems are operated and managed safely and effectively; and that this act is necessary in order to provide security for public water systems. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2007."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Glover

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Secretary