

ARKANSAS SENATE
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of House Bill No. 1669

TO PROMOTE THE RIGHTS GUARANTEED BY THE FIRST AMENDMENT OF THE UNITED STATES
CONSTITUTION; AND TO PROTECT A CITIZEN'S RIGHT TO OBSERVE AND RECORD PUBLIC EVENTS.

Amendment No. 1 to House Bill No. 1669

Amend House Bill No. 1669 as engrossed, H3/10/15 (version: 03/10/2015 10:13:22 AM):

Page 2, delete lines 2 through 16, and substitute the following:

"(b)(1) A public officer or employee shall not:

(A) Prohibit a person from using a recording device carried on or near the person in a place that is open to and accessible to the general public or any private property where the person is lawfully present unless the act of recording or the location of the recording person:

(i) Presents a risk to the physical safety of anyone present, not including the person making the recording;

(ii) Is inside a public drinking water treatment facility and presents a risk to the public drinking water treatment facility;

(iii) Constitutes an element of a criminal offense;

(iv) Could reasonably be expected to lead to the infringement of copyrighted material;

(v) Appears to circumvent established procedures that ordinarily require permission for or payment in exchange for the viewing, use, reproduction, or recordation of data or information; or

(vi) Unreasonably obstructs or inhibits another person's lawful presence or movement;"

AND

Page 3, delete lines 13 through 20, and substitute the following:

"(f) This section does not:

(1) Imply any kind of right or power of a person to use devices to change the light levels of his or her surroundings, including without limitation umbrellas, reflectors, lights, or flashes;

(2) Change, diminish, or denigrate the inherent or constitutional powers of the courts to issue binding orders or to regulate the absence, presence, or conduct of citizens occupying buildings or real property under the jurisdiction of the courts; or

(3) Apply to the grounds of a hospital or other medical facility governed by the privacy regulations promulgated under the Health Insurance



Portability and Accountability Act of 1996, Pub. L. No. 104-191."

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

By: Senator E. Williams

BPG/LNS - 03-17-2015 16:42:54

BPG554

Secretary