

ARKANSAS SENATE
93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of Senate Bill No. 346

TO AMEND THE LAW CONCERNING THE USE OF AUDIO MEDIA, VISUAL MEDIA, AND
AUDIOVISUAL MEDIA BY LAW ENFORCEMENT AGENCIES.

Amendment No. 1 to Senate Bill 346

Amend Senate Bill No. 346 as originally introduced:

Page 1, line 12, delete "AGENCIES; AND" and substitute "AGENCIES, DISPATCH CENTERS, PUBLIC SAFETY ANSWERING POINTS, JAILS, AND DETENTION CENTERS; AND"

AND

Delete the subtitle in its entirety and substitute:

"CONCERNING THE USE OF AUDIO MEDIA,
VISUAL MEDIA, AND AUDIOVISUAL MEDIA BY
LAW ENFORCEMENT AGENCIES, DISPATCH
CENTERS, PUBLIC SAFETY ANSWERING POINTS,
JAILS, AND DETENTION CENTERS."

AND

Page 2, delete lines 34 and 35, and substitute the following:

"(3)(A) In accordance with § 25-19-112, the county or electronic record provider may charge the requestor for the costs associated with retrieving, reviewing,"

AND

Page 3, delete lines 1 through 7, and substitute the following:

"including:

- (i) Medium of reproduction;
- (ii) Supplies;
- (iii) Equipment;
- (iv) Maintenance; and
- (v) Personnel time.

(B) An electronic record provider that charges for costs under subdivision (d)(3)(A) of this section shall provide a copy of the invoice to the county.



SECTION 3. Arkansas Code Title 25, Chapter 19, is amended to add an additional section to read as follows:

25-19-112. Audio media, visual media, and audiovisual media – Findings – Intent – Law enforcement.

(a) The General Assembly finds that:

(1) The allocation of time of trained law enforcement personnel, dispatchers, and detention personnel toward fulfilling requests for copies of audio media, visual media, and audiovisual media is substantial; and

(2) The uniform assessment of costs to defray and recover the allocation of time of trained law enforcement personnel, dispatchers, and detention personnel toward fulfilling requests for copies of audio media, visual media, and audiovisual media is necessary.

(b) It is the intent of the General Assembly to encourage the use of audio media, visual media, and audiovisual media by state and local law enforcement agencies and detention centers.

(c)(1) A state, county, municipal, school, college, or university law enforcement agency, dispatch center, public safety answering point, jail, detention center, or electronic record provider may charge for the costs associated with retrieving, reviewing, redacting, and copying audio media, visual media, and audiovisual media, including:

(A) Medium of reproduction;

(B) Supplies;

(C) Equipment;

(D) Maintenance; and

(E) Personnel time.

(2) A request for audio media, visual media, and audiovisual media that:

(A) Requires three (3) hours or less to fulfill the request shall be provided at no charge, unless the requestor or the requestor's entity has made a request under this section in the immediately preceding thirty-day period;

(B) Requires more than three (3) hours to fulfill the request shall be charged at a rate that does not exceed fifteen dollars (\$15.00) per hour; and

(C) Is estimated to require more than three (3) hours to fulfill the request may be required to be prepaid.

(3) A request for audio media, visual media, and audiovisual media shall be sufficiently specific to enable the custodian to locate the requested audio media, visual media, and audiovisual media with reasonable effort.

(4) An electronic record provider that charges for costs under this section shall provide a copy of the invoice to the entity required to maintain the audio media, visual media, or audiovisual media."

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

By: Senator Rapert

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Secretary