

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

SENATE BILL 947

5 By: Senators Glover, Bisbee, Hill
6 By: Representative Lamoureux
7
8

For An Act To Be Entitled

10 AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT
11 PROVISIONS AFFECTING THE RECORDS AND MEETINGS OF
12 PUBLIC WATER SYSTEMS; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO AMEND THE FREEDOM OF INFORMATION ACT
15 PROVISIONS AFFECTING THE RECORDS AND
16 MEETINGS OF PUBLIC WATER SYSTEMS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 25-19-103(6), concerning definitions used
23 in the Freedom of Information Act, is amended to read as follows:

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

28 (B) This subdivision (6) shall expire on ~~July 1, 2007~~ July
29 1, 2009.
30

31 SECTION 2. Arkansas Code § 25-19-105(b)(16), concerning records that
32 are not open to the public under the Freedom of Information Act, is amended
33 to read as follows:

34 (16)(A) Records, including analyses, investigations, studies,
35 reports, recommendations, requests for proposals, drawings, diagrams,
36 blueprints, and plans, containing information relating to security for any



1 public water system.

2 (B) The records shall include:

3 (i) Risk and vulnerability assessments;

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

6 (iii) Emergency response and recovery records;

7 (iv) Security plans and procedures; and

8 (v) Any other records containing information that if
9 disclosed might jeopardize or compromise efforts to secure and protect the
10 public water system.

11 (C) This subdivision (b)(16) shall expire on ~~July 1, 2007~~
12 July 1, 2009.

13
14 SECTION 3. Arkansas Code § 25-19-106(c)(6), concerning executive
15 sessions under the Freedom of Information Act, is amended to read as follows:

16 (6)(A) Subject to the provisions of subdivision (c)(4) of this
17 section, any public agency may meet in executive session for the purpose of
18 considering, evaluating, or discussing matters pertaining to public water
19 system security as described in § 25-19-105(b)(16).

20 (B) This subdivision (c)(6) shall expire on ~~July 1, 2007~~
21 July 1, 2009.

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23 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
24 General Assembly of the State of Arkansas that provisions in the Freedom of
25 Information Act concerning records and meetings of public water systems will
26 expire on July 1, 2007; that in order to protect the public, certain records
27 of public water systems should continue to not be available to the public;
28 that this act is necessary in order to ensure that public water systems are
29 operated and managed safely and effectively; and that this act is immediately
30 necessary in order to provide continuous protection to certain records of the
31 public water systems. Therefore, an emergency is declared to exist, and this
32 act being necessary for the preservation of the public peace, health, and
33 safety shall become effective on July 1, 2007.