

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: S3/29/17

A Bill

HOUSE BILL 1866

5 By: Representative Lundstrum
6 By: Senator G. Stubblefield
7

For An Act To Be Entitled

9 AN ACT TO EXEMPT CERTAIN INFORMATION PERTAINING TO A
10 LAW ENFORCEMENT OFFICER FROM THE FREEDOM OF
11 INFORMATION ACT OF 1967; CONCERNING PUBLIC RECORD
12 WEBSITES; AND FOR OTHER PURPOSES.
13
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Subtitle

15 TO EXEMPT CERTAIN INFORMATION PERTAINING
16 TO A LAW ENFORCEMENT OFFICER FROM THE
17 FREEDOM OF INFORMATION ACT OF 1967; AND
18 CONCERNING PUBLIC RECORD WEBSITES.
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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 § 25-19-105(b), concerning the examination*
25 *and copying of public records, is amended to add an additional subdivision to*
26 *read as follows:*

27 *(24)(A)(i) Personal contact information, real property records,*
28 *personal property records, and tax records of an active law enforcement*
29 *officer if the active law enforcement officer submits the appropriate*
30 *documentation to the relevant county recorder, county assessor, or county*
31 *clerk that the active law enforcement officer requires, upon good cause, that*
32 *the personal contact information, real property records, personal property*
33 *records, or tax records be omitted from online searchable databases made*
34 *available by a county.*

35 *(ii) As used in this subdivision (b)(24),*
36 *"appropriate documentation" means the standardized form developed in*



1 accordance with this act which shall include the signature of the:

2 (a) Supervisor of the active law enforcement
3 officer; and

4 (b) Relevant department head of the law
5 enforcement agency.

6 (B) A search or inquiry concerning real property records,
7 personal property records, or tax records that are omitted under subdivision
8 (b)(24)(A)(i) of this section shall be flagged to indicate that the personal
9 contact information, real property records, personal property records, or tax
10 records have been omitted.

11 (C)(i) Personal contact information, real property
12 records, personal property records, or tax records that are omitted shall
13 remain omitted for two (2) years.

14 (ii) An active law enforcement officer may submit
15 appropriate documentation to the relevant county recorder, county assessor,
16 or county clerk to extend the privacy of the personal contact information,
17 real property records, personal property records, or tax records upon the
18 expiration of the two-year period under subdivision (b)(24)(C)(i) of this
19 section.

20 (D) This subdivision (b)(24) shall only apply to personal
21 contact information, real property records, personal property records, or tax
22 records that are made available by a county in an online searchable format.

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24 SECTION 2. DO NOT CODIFY. Effective date.

25 Section 1 of this act shall become effective on and after May 1, 2018.

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27 SECTION 3. DO NOT CODIFY. Temporary legislation.

28 (a) There is created a focus group to develop, by May 1, 2018, a
29 standardized form that may be submitted by an active law enforcement officer
30 to the relevant county recorder, county assessor, or county clerk to serve as
31 notification that the active law enforcement officer requires the real
32 property records, personal property records, or tax records to be private.

33 (b) The members of the focus group shall be appointed by the Speaker
34 of the House of Representatives and membership shall consist of:

35 (1) One (1) circuit court county clerk in this state;

36 (2) One (1) county assessor in this state;

