

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4  
5 By: Representative Petty  
6 By: Senator K. Hammer  
7

# A Bill

HOUSE BILL 1240

## For An Act To Be Entitled

9 AN ACT TO CREATE "SARAH'S LAW"; TO AMEND THE LAW  
10 CONCERNING ACCESS TO CHILD MALTREATMENT RECORDS; AND  
11 FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 TO CREATE AN ACT KNOWN AS "SARAH'S LAW".  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. DO NOT CODIFY. Title.

21 This act shall be known and may be cited as "Sarah's Law".  
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23 SECTION 2. Arkansas Code § 12-18-710(e)(1), concerning the release of  
24 information on a completed investigation pending due process to an alleged  
25 offender, is amended to read as follows:

26 (1)(A) The alleged offender.

27 (B) An alleged offender who is not represented by counsel  
28 shall not be provided with:

29 (i) A digital recording of an interview conducted  
30 with a victim of child maltreatment;

31 (ii) The protected health information of a victim of  
32 child maltreatment;

33 (iii) The address of a victim of child maltreatment;

34 (iv) The name and address of a legal parent or  
35 caretaker of a victim of child maltreatment;

36 (v) The composition of the family of the victim of



1 child maltreatment; or

2 (vi) Services offered to and accepted by the victim  
 3 of child maltreatment;

4 (C) Subdivision (e)(1)(B) of this section does not  
 5 prohibit an alleged offender from viewing a digital recording of an interview  
 6 conducted with the victim of child maltreatment in camera at the office of  
 7 the Prosecuting Attorney.

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 9 SECTION 3. Arkansas Code § 12-18-909(g)(3), concerning whether a  
 10 report may be made available to a person who is the subject of a true report,  
 11 is amended to read as follows:

12 (3)(A) Any person who is the subject of a true report,

13 (B) A subject of a true report who is not represented by  
 14 counsel shall not be provided with:

15 (i) A digital recording of an interview conducted  
 16 with a victim of child maltreatment;

17 (ii) The protected health information of a victim of  
 18 child maltreatment;

19 (iii) The address of a victim of child maltreatment;

20 (iv) The name and address of a legal parent or  
 21 caretaker of a victim of child maltreatment;

22 (v) The composition of the family of the victim of  
 23 child maltreatment; or

24 (vi) Services offered to and accepted by the victim  
 25 of child maltreatment;

26 (C) Subdivision (g)(3)(B) of this section does not  
 27 prohibit an alleged offender from viewing a digital recording of an interview  
 28 conducted with the victim of child maltreatment in camera at the office of  
 29 the Prosecuting Attorney.

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 31 SECTION 4. Arkansas Code § 12-18-910(f)(2), concerning whether an  
 32 unsubstantiated report may be disclosed to a subject of the report, is  
 33 amended to read as follows:

34 (2)(A) A subject of the report,

35 (B) A subject of an unsubstantiated report who is not  
 36 represented by counsel shall not be provided with:

1                   (i) A digital recording of an interview conducted  
2 with a victim of child maltreatment;

3                   (ii) The protected health information of a victim of  
4 child maltreatment;

5                   (iii) The address of a victim of child maltreatment;

6                   (iv) The name and address of a legal parent or  
7 caretaker of a victim of child maltreatment;

8                   (v) The composition of the family of the victim of  
9 child maltreatment; or

10                   (vi) Services offered to and accepted by the victim  
11 of child maltreatment;

12                   (C) Subdivision (f)(2)(B) of this section does not  
13 prohibit an alleged offender from viewing a digital recording of an interview  
14 conducted with the victim of child maltreatment in camera at the office of  
15 the Prosecuting Attorney.

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