

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1884

5 By: Representative Eaves
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW GOVERNING A COUNTY'S
9 OBLIGATIONS REGARDING THE PRODUCTION OF ELECTRONIC
10 PUBLIC RECORDS IN BULK ON REQUEST; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

14 TO AMEND THE LAW GOVERNING A COUNTY'S
15 OBLIGATIONS REGARDING THE PRODUCTION OF
16 ELECTRONIC PUBLIC RECORDS IN BULK ON
17 REQUEST.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 14-14-111(b)(1), concerning the definitions
24 used for purposes of the law governing counties' electronic records, is
25 amended to read as follows:

26 (1) "Administrative rights" means permissions and powers,
27 including without limitation the permissions and powers to access, alter,
28 copy, download, extract, read, record, upload, write, or otherwise manipulate
29 and maintain records kept by a county official;
30

31 SECTION 2. Arkansas Code § 14-14-111(c), concerning counties'
32 obligations regarding the maintenance and disclosure of electronic records,
33 is amended to read as follows:

34 (c)(1) A county official required by law to maintain public records
35 and who in the normal performance of official duties chooses to keep and
36 maintain the records in an electronic record ~~retains~~ shall retain complete



1 administrative rights and complete access to all the records.

2 (2) A contract between a county and an electronic record
3 provider shall:

4 (A) ~~include~~ Include the information under subdivision
5 (c)(1) of this section; and

6 (B) Require the contractor to provide the county official,
7 at his or her request, with a written list of all file formats in which
8 electronic records are stored.

9
10 SECTION 3. Arkansas Code § 14-14-112(a), concerning a county's
11 obligations regarding the bulk copying of electronic public records on
12 request, is amended to read as follows:

13 (a) In the absence of an existing agreement or county ordinance, a
14 county official may negotiate with a commercial, nonpress entity that
15 requests public records in bulk regarding a reasonable fee for mass
16 duplication, copying, or bulk electronic access of public records.

17
18 SECTION 4. Arkansas Code § 14-14-112, concerning a county's
19 obligations regarding the bulk copying of electronic public records on
20 request, is amended to add an additional subsection to read as follows:

21 (d)(1) A county that receives a request for bulk public records by a
22 commercial, nonpress entity shall provide nonencrypted, bulk public records
23 in the format requested, as long as the requested format exists in the
24 software.

25 (2) If the county contracts with a third-party electronic record
26 provider, the electronic record provider shall enable the county to extract
27 the public records in either the original file format or a derived file
28 format that retains the original file format's essential functionality.

29 (3)(A) Electronic public records provided under this subsection
30 shall not include redacted, proprietary, or exempt data.

31 (B) This subsection does not apply to audio or video file
32 formats.