

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1099

5 By: Representative A. Collins  
6 By: Senator J. Payton  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF  
10 1967; TO SPECIFY THE TIME WITHIN WHICH ONE MAY SEEK  
11 AN OPINION FROM THE ATTORNEY GENERAL ON WHETHER THE  
12 DECISION OF A PUBLIC-RECORDS CUSTODIAN REGARDING THE  
13 RELEASE OF CERTAIN PUBLIC RECORDS IS CONSISTENT WITH  
14 THE LAW; AND FOR OTHER PURPOSES.  
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## Subtitle

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18 TO SPECIFY THE TIME WITHIN WHICH ONE MAY  
19 SEEK AN OPINION FROM THE ATTORNEY GENERAL  
20 ON WHETHER THE DECISION OF A PUBLIC-  
21 RECORDS CUSTODIAN REGARDING THE RELEASE  
22 OF CERTAIN PUBLIC RECORDS IS CONSISTENT  
23 WITH THE LAW.  
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25  
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. Arkansas Code § 25-19-105(c)(3)(B)(i), concerning the  
29 ability to seek an opinion from the Attorney General on whether the decision  
30 of a public-records custodian is consistent with the Freedom of Information  
31 Act, is amended to read as follows:

32 (i) If the subject of the records cannot be  
33 contacted in person or by telephone within the twenty-four-hour period, the  
34 custodian shall send written notice via overnight mail to the subject of the  
35 records at his or her last known address. Either the custodian, requester, or  
36 the subject of the records may, ~~immediately~~ before the close of the Office of



1 the Attorney General the following business day, seek an opinion from the  
2 Attorney General, who, within three (3) working days of receipt of the  
3 request, shall issue an opinion stating whether the decision is consistent  
4 with this chapter.

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