

Hall of the House of Representatives
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of House Bill No. 2397

"AN ACT TO AMEND ARKANSAS CODE 5-60-120(a) CONCERNING THE
INTERCEPTION AND RECORDING OF WIRE, ORAL, TELEPHONIC AND WIRELESS
COMMUNICATIONS."

Amendment No. 1 to House Bill No. 2397.

Amend House Bill No. 2397 as originally introduced:

Page 1, line 23, delete "5-60-120(a)" and substitute "5-60-120"

AND

Page 1, line 35, insert "(b) Any violation of this section shall be a Class A misdemeanor.

(c)(1) It shall not be unlawful for such an act to be committed by a person acting under the color of law.

(2) It is an exception to the application of subsection (a) of this section that an officer, employee, or agent of a public telephone utility or company that is licensed by a federal or state agency to provide wire or wireless telecommunication service to the public provides information, facilities, or technical assistance to a person acting under the color of law to intercept a wire, wireless, oral, or telephonic communication.

(3) It shall not be unlawful under this section for an operator of a switchboard, or an officer, employee, or agent of any public telephone utility or telecommunications provider whose facilities are used in the transmission of a wire communication to intercept, disclose, or use that communication in the normal course of his employment while engaged in any activity which is a necessary incident to the rendition of his service or to the protection of the rights or property of the telecommunications provider or public telephone utility of such communication.

(d) The provisions of this section do not apply to telecommunication services offered by a telecommunications provider or public telephone utilities.

The Amendment was read _____
By: Representative Teague
MG/MHF _____
VVF076 **Chief Clerk**