

Department of Finance and Administration

Legislative Impact Statement

Bill: HB2007

As Engrossed: 3/15/2013

Bill Subtitle: TO ESTABLISH THE ARKANSAS EMERGENCY CONTACT INFORMATION SYSTEM.

Basic Change :

Sponsor: Representative Copenhaver

This bill, as amended, establishes the Arkansas Emergency Contact Information System (System) to assist law enforcement in notification of next of kin or other designated emergency contact during times of emergency. The Arkansas State Police (ASP) in conjunction with other entities may establish the System. The information is accessible only to law enforcement for emergency notification purposes or pursuant to a court order and shall not be used in a criminal investigation or for any other purpose. The ASP may promulgate rules to implement and administer the System.

Participation in the System is voluntary and limited to a person who holds a valid Arkansas driver's license or identification card. Each participant is responsible for the accuracy of information. All requests by participants to add modify or delete a record in the System is confidential and shall be governed by the statute regulating access to records through the Arkansas Crime Information Center. Amendment 1 removed the section stating the emergency system is not subject to disclosure under the Freedom of Information Act.

The bill states that emergency contact records shall otherwise not be modified and shall otherwise be deleted only when the driver's license or identification record no longer exists in Arkansas. Current Department of Finance and Administration (DFA) practice is to keep all records. If the driver is deceased or moves out of state or the license is otherwise surrendered, the license will no longer be active (valid), but the record is not deleted. Implementation of the System may begin after funding has been obtained.

Revenue Impact :

None

Taxpayer Impact :

Taxpayers will not be charged for participation in the System.

Resources Required :

If the System is to be updated and the deceased drivers or drivers who move out of state to be removed from the System, then DFA estimates programming of \$8,000 will be required.

Time Required :

No additional time is required and implementation will begin once funding has been obtained.

Procedural Changes :

None

Other Comments :

This bill does not contain an emergency clause or an effective date.

Legal Analysis :

The material alteration from the original version is to remove the specific exclusion of this information from FOIA and to state that disclosure would be "governed by" Ark. Code § 12-12-211, the provisions governing release of information from the Arkansas Crime Information Center. The provisions of Ark. Code § 12-12-211 essentially limits disclosure to law enforcement personnel (after completion of a training class) and several other purposes, including the Office of Child Support and the State Board of Law Examiners. Further, Ark. Code § 12-12-201 et seq. is administered by the Supervisory Board for the Arkansas Crime Information Center.