

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Senator Howell

SENATE BILL 323

"AN ACT TO AMEND OR REPEAL VARIOUS SECTIONS OF ACT 24 OF 1973, THE ARKANSAS PUBLIC RECORDS MANAGEMENT AND ARCHIVES ACT; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Section 2 of Act 24 of 1973, the same being Arkansas Statutes 16-702, is hereby amended to read as follows:

"Section 2. PURPOSE. The purpose of this Act shall be to establish methods and procedures for the designation and classification of public records and archives of the State of Arkansas and all its political subdivisions; to provide for the systematic and efficient management and safe-keeping of said records and archives; to prohibit the estrangement, expropriation, alienation, secretion, or premature destruction of said records and archives, and to provide for the lawful recovery of such records and archives as may have been or may be unlawfully estranged, expropriated, alienated, or secreted; to assist the various State offices, agencies, institutions, and departments and the officials of cities, towns, school districts, and counties of this State in classifying, maintaining, and preserving public records and documents; and to provide for the permanent preservation in the Archives of this State of those records that are classified as permanent public records, in accordance with the procedures established in this Act."

SECTION 2. Paragraph (a) of Section 4 of Act 24 of 1973, the same being Arkansas Statutes 16-704, is hereby amended to read as follows:

"(a) The records of the State of Arkansas and of the various cities, towns, school districts, and counties of this State are hereby declared to be the property of the people of this State."

SECTION 3. Paragraph (b) of Section 4 of Act 24 of 1973, the same being Arkansas Statutes 16-704, is hereby amended to read as follows:

"(b) Title to all current and non-current records in the physical possession of an Agency shall be vested in the Agency. Title to all archives in the physical possession of the Arkansas History Commission shall be vested in the Arkansas History Commission, to be preserved and administered in accordance with the provisions of this Act."

SECTION 4. Paragraph (b) of Section 5 of Act 24 of 1973, the same being Arkansas Statutes 16-705, is hereby amended to read as follows:

"(b) It shall be the duty of the State Historian to administer a State Records Management Program in accordance with the provisions of this Act. Said program shall include the development, subject to the approval of the Arkansas History Commission, of uniform standards and principles to be utilized as guidelines to be followed in the preservation and management of agency records."

SECTION 5. Paragraph (c) of Section 5 of Act 24 of 1973, the same being Arkansas Statutes 16-705, is hereby amended to read as follows:

"(c) It shall be the duty of each agency official to develop and implement an efficient and economical program for the management of the agency's records, which program shall be developed and implemented in accordance with uniform standards and principles set forth by the Arkansas History Commission as guidelines to be followed in the preservation and management of agency records."

SECTION 6. Paragraph (d) of Section 5 of Act 24 of 1973, the same being Arkansas Statutes 16-705, is hereby amended to read as follows:

"(d) Upon written request by any agency official, the State Historian shall assist such official to schedule the period of time during which each type, class or category of records of the agency shall be retained in the possession of the agency. Agency records no longer retained by the agency shall be made available for transfer to the State Archives."

SECTION 7. Paragraph (f) of Section 5 of Act 24 of 1973, the same being

Arkansas Statutes 16-705, is hereby amended to read as follows:

"(f) No records shall be transferred to the State Archives until at least three (3) years shall have expired from the time of their making."

SECTION 8. Sections 6, 7, and 8 of Act 24 of 1973, the same being Arkansas Statutes 16-706, 16-707, and 16-708, are hereby repealed.

SECTION 9. All laws and parts of laws in conflict with this Act are hereby repealed.

