

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Fairchild**
5
6

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §12-12-211 TO
9 ALLOW LICENSED PRIVATE INVESTIGATORS ACCESS TO RECORDS OF
10 THE ARKANSAS CRIME INFORMATION CENTER; AND FOR OTHER
11 PURPOSES."
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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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15 SECTION 1. Arkansas Code Annotated §12-12-211 is amended to read as
16 follows:

17 "12-12-211. Access to records.

18 (a) The center shall make criminal records on persons available only to
19 criminal justice agencies in their official capacity, to regulatory agencies
20 with specific statutory authority of access, and to any person, his attorney,
21 or licensed private investigator, who has reason to believe that a criminal
22 history record is being kept on him, or wherein the criminal defendant is
23 charged with either a misdemeanor or felony.

24 (b) Upon the application of the person, his attorney, or licensed
25 private investigator making application for him or his attorney, it shall be
26 mandatory, upon proper and sufficient identification of the person, for the
27 Arkansas Crime Information Center to make available to the person, his
28 attorney, or licensed private investigator, any records on the person making
29 the application.

30 (c) The Arkansas Crime Information Center shall make vehicle
31 registration records available to licensed private investigators. It shall be
32 mandatory, upon proper and sufficient identification of any licensed private
33 investigator making application to any law enforcement agency, or any agency
34 having access to such vehicle registration information, for such agency to
35 make available such records to the investigator making the application.

1 (d) The supervisory board shall establish regulations and policies to
2 carry out the review and challenge procedures in accordance with this
3 subchapter.

4 (e) (1) The Child Support Enforcement Unit of the Department of Human
5 Services of this state shall be considered a criminal justice agency solely
6 for the purpose of securing information from the Arkansas Crime Information
7 Center of this state regarding the address or whereabouts of any deserting
8 parent from whom the Child Support Enforcement Unit is charged with collecting
9 child support.

10 (2) It shall be unlawful, except for the purpose of performing
11 the duties of the Child Support Enforcement Unit or upon court order, for any
12 person to disclose information obtained by this subsection. Upon conviction
13 any person violating this section shall be guilty of a Class A misdemeanor."
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15 SECTION 2. All provisions of this act of a general and permanent nature
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
17 Revision Commission shall incorporate the same in the Code.
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19 SECTION 3. If any provision of this act or the application thereof to
20 any person or circumstance is held invalid, such invalidity shall not affect
21 other provisions or applications of the act which can be given effect without
22 the invalid provision or application, and to this end the provisions of this
23 act are declared to be severable.
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25 SECTION 4. All laws and parts of laws in conflict with this act are
26 hereby repealed.
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