

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Mahony

A Bill

SENATE BILL 838

For An Act To Be Entitled

"AN ACT TO AMEND ARK. CODE 8-4-308 PERTAINING TO THE
CONFIDENTIALITY OF INDUSTRIAL SECRETS; AND FOR OTHER
PURPOSES."

Subtitle

"AN ACT TO AMEND ARK. CODE 8-4-308
PERTAINING TO THE CONFIDENTIALITY OF
INDUSTRIAL SECRETS."

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

SECTION 1. Arkansas Code 8-4-308(a) is amended to read as follows:

"(a) Any information which constitutes a trade secret under § 4-75-601 et seq. which is obtained by the Arkansas Pollution Control and Ecology Commission or its employees in the administration of this chapter shall be kept confidential, except for emission data which is submitted to the state, local agency, or the Environmental Protection Agency, which is otherwise obtained by any of those agencies pursuant to the federal Clean Air Act. Only such emission data is to be publicly available. The manner and rate of operation of the source shall not be deemed to be emissions data, and, if such information is a trade secret it shall be kept confidential; provided that the identity, amount, frequency, and concentration of the emissions is publicly available."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

1 SECTION 3. If any provision of this act or the application thereof to
2 any person or circumstance is held invalid, such invalidity shall not affect
3 other provisions or applications of the act which can be given effect without
4 the invalid provision or application, and to this end the provisions of this
5 act are declared to be severable.

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7 SECTION 4. All laws and parts of laws in conflict with this act are
8 hereby repealed.

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