

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: S3/19/97

A Bill

SENATE BILL 485

4
5 By: Senator Mahony

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 25-19-105 (b) TO EXEMPT
10 FROM THE FREEDOM OF INFORMATION ACT CERTAIN OIL OR GAS
11 RECORDS VOLUNTARILY PROVIDED TO A COUNTY ASSESSOR; AND FOR
12 OTHER PURPOSES."

Subtitle

15 "AN ACT TO EXEMPT FROM THE FREEDOM OF
16 INFORMATION ACT CERTAIN OIL OR GAS
17 RECORDS VOLUNTARILY PROVIDED TO A COUNTY
18 ASSESSOR."

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

23 SECTION 1. Arkansas Code 25-19-105 (b), concerning examination and
24 copying of public records, is amended to read as follows:

25 (b) It is the specific intent of this section that the following shall
26 not be deemed to be made open to the public under the provisions of this
27 chapter:

- 28 (1) State income tax records;
- 29 (2) Medical records, scholastic records, and adoption records;
- 30 (3) The site files and records maintained by the Arkansas
31 Historic Preservation Program and the Arkansas Archeological Survey;
- 32 (4) Grand jury minutes;
- 33 (5) Unpublished drafts of judicial or quasijudicial opinions and
34 decisions;
- 35 (6) Undisclosed investigations by law enforcement agencies of
36 suspected criminal activity;

1 (7) Unpublished memoranda, working papers, and correspondence of
2 the Governor, members of the General Assembly, Supreme Court Justices, and the
3 Attorney General;

4 (8) Documents which are protected from disclosure by order or
5 rule of court;

6 (9)(A) Files which, if disclosed, would give advantage to
7 competitors or bidders; and

8 (B)(i) Records maintained by the Arkansas Industrial
9 Development Commission related to any business entity's planning, site
10 location, expansion, operations, or product development and marketing, unless
11 approval for release of such records is granted by the business entity.

12 (ii) Provided, however, this exemption shall not be
13 applicable to any records of expenditures or grants made or administered by
14 the Arkansas Industrial Development Commission and otherwise disclosable under
15 the provisions of this chapter;

16 (10) Personnel records to the extent that disclosure would
17 constitute clearly unwarranted invasion of personal privacy; ~~and~~

18 (11)(A) The identity of law enforcement officers currently
19 working undercover with their agency and identified in the Arkansas Minimum
20 Standards Office as an undercover officer.

21 (B) Records of the number of undercover officers an agency
22 lists are not exempt from this chapter; and

23 (12) Division of ownership information on oil or gas leases
24 voluntarily provided by an oil or gas company to a county assessor, which if
25 disclosed, could result in an economic loss to the company. This subdivision
26 (12) shall expire on July 1, 1999.

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

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

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

/s/Mahony