

State of Arkansas  
83rd General Assembly  
Regular Session, 2001

# A Bill

SENATE BILL 589

By: Senator Mahony

## For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE 25-19-106 CONCERNING  
PUBLIC AGENCY MEETINGS TO DISCUSS PENDING OR FUTURE  
LITIGATION; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT CONCERNING PUBLIC AGENCY MEETINGS  
TO DISCUSS PENDING OR FUTURE LITIGATION.

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

SECTION 1. Arkansas Code 25-19-106, concerning open public meetings,  
is amended to add an additional subsection to read as follows:

(d)(1) A meeting may be closed to the public for the purpose of  
discussing pending or future litigation.

(2) However, the closed meeting may be attended by  
representatives of the news media under the following conditions:

(A) The representative and his or her employer must not be  
a party to pending or future litigation;

(B) The information obtained in the closed meeting shall  
be confidential and shall not be made public until:

(i) The cause of action has been settled or  
litigated;

(ii) The agency makes the information public or  
waives its right to keep the information confidential; or

(iii) The expiration of a period of one (1) year  
from the date of the closed meeting; and

(C) The representative files a statement with the agency

1 stating that:

2 (i) To the best of his or her knowledge, the  
3 representative and the employer are not and will not be parties to the  
4 litigation; and

5 (ii) He or she will comply with the confidentiality  
6 requirements of this section.