Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	As Engrossed: S3/7/05	
2	85th General Assembly	A Bill	
3	Regular Session, 2005		HOUSE BILL 1385
4			
5	By: Representatives Overbey, Me	edley	
6			
7			
8	For An Act To Be Entitled		
9	AN ACT TO CLARIFY PROCEDURES FOR MUNICIPAL RECORD		
10	RETENTION; AND FOR OTHER PURPOSES.		
11			
12		Subtitle	
13	AN ACT T	CO CLARIFY PROCEDURES FOR	
14	MUNICIPA	AL RECORD RETENTION.	
15			
16			
17	BE IT ENACTED BY THE GENE	RAL ASSEMBLY OF THE STATE OF	F ARKANSAS:
18			
19	SECTION 1. Arkansas Code § 14-2-203 is amended to read as follows:		
20	14-2-203. Disposal, etc., of copied records.		
21	(a) Whenever reproductions of public records have been made in		
22	accordance with § 14-2-201 and have been placed in conveniently accessible		
23	files or other suitable format and provision has been made for preserving,		
24	examining, and using them, the head of a county office or department or city		
25	office or department may	certify those facts to the	county court or to the
26	mayor of a municipality,	respectively, who shall have	e the power to authorize
27	the disposal, archival st	orage, or destruction of the	e records.
28	(b) Cities of the	first class, cities of the	second class, and
29	incorporated towns may by ordinance declare a policy of record retention and		
30	disposal provided that:		
31	(1) The city or town complies with any specific statute		
32	regarding municipal records; and		
33	(2) The following records are maintained permanently in either		
34	the original or electronic format as required by law:		
35	<u>(A) Or</u>	dinances;	
36	(B) Ci	ty council minutes;	

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As Engrossed: S3/7/05 HB1385

1	(C) Resolutions;		
2	(D) Annual financial audits; and		
3	(E) Year-end financial statements.		
4			
5	SECTION 2. Arkansas Code § 14-2-204 is amended to read as follows:		
6	14-2-204. Municipal police department records.		
7	(a) All municipalities of the State of Arkansas shall maintain record		
8	for the city or town police department or marshal's office, if the records		
9	are currently being maintained, as follows:		
10	(1) Maintain permanently for seven (7) years after closure of		
11	the case file or permanently, as the municipality shall determine, provided		
12	that §§ 14-2-203(b)(1) and 12-12-104 are complied with and that records		
13	related to crimes of violence as defined by § 5-42-203 are maintained		
14	permanently:		
15	(A) Closed municipal police case files for felony and		
16	Class A misdemeanor offenses; and		
17	(B) Expungement orders of municipal police cases; and		
18	(2) Maintain for three (3) years:		
19	(A) Accident reports;		
20	(B) Incident reports;		
21	(C) Offense reports;		
22	(D) Fine and bond records;		
23	(E) Parking meter records;		
24	(F) Radio logs and complaint cards; and		
25	(G) Employment records, payroll sheets, time cards, and		
26	leave requests.		
27	(b)(1) However, if maintained for more than ten (10) years after the		
28	date the record was created, records under subdivision (a)(1) of this section		
29	may be copied and maintained in accordance with 14-2-203.		
30	(2) Records under subdivision (a)(2) of this section may be		
31	copied in accordance with § 14-2-203 or are subject to disposal after the		
32	specified time period has passed.		
33			
34	/s/ Overbey		
35			
36			