

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
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/14/05

A Bill

HOUSE BILL 1879

5 By: Representatives Pickett, Verkamp
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 23-2-316 TO
10 PERMIT THE DIRECTOR OF THE BUREAU OF LEGISLATIVE
11 RESEARCH TO INSPECT AND COPY THE RECORDS OF THE
12 ARKANSAS PUBLIC SERVICE COMMISSION; AND FOR OTHER
13 PURPOSES.
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Subtitle

15 AN ACT TO AMEND ARKANSAS CODE § 23-2-316
16 TO PERMIT THE DIRECTOR OF THE BUREAU OF
17 LEGISLATIVE RESEARCH TO INSPECT AND COPY
18 THE RECORDS OF THE ARKANSAS PUBLIC
19 SERVICE COMMISSION.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 23-2-316 is amended to read as follows:

26 23-2-316. Records of commission open to public – Exceptions –
27 Protective orders – Exception.

28 (a) All facts and information, including all reports, records, files,
29 books, accounts, papers, and memoranda in the possession of the commission,
30 shall be public and open to public inspection at all reasonable times.

31 (b)(1) Whenever the commission determines it to be necessary in the
32 interest of the public or, as to proprietary facts or trade secrets, in the
33 interest of the utility to withhold such facts and information from the
34 public, the commission shall do so.

35 (2) The Except as provided in subsection (c) of this section,
36 the commission may take such action in the nature of, but not limited to,



1 issuing protective orders, temporarily or permanently sealing records, or
2 making other appropriate orders to prevent or otherwise limit public
3 disclosure of facts and information.

4 (c) If the commission has issued a protective order under subsection
5 (b) of this section, the Director of the Bureau of Legislative Research or
6 his or her designee shall have full access to information subject to that
7 protective order after:

8 (1) Signing a notarized statement that he or she:

9 (A) Shall not disclose the protected information to the
10 public, including members of the General Assembly, until the protective order
11 is no longer effective; and

12 (B) May not use the information obtained for any purpose
13 other than to assist the General Assembly in the performance of its
14 legislative oversight of the commission; and

15 (2) Filing the notarized statement with the Secretary of the
16 Arkansas Public Service Commission.

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18 /s/ Pickett, et al
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