

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

# A Bill

HOUSE BILL 2053

5 By: Representative Mahony  
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7

## For An Act To Be Entitled

9 AN ACT CONCERNING DRAFTING REQUESTS AND  
10 INFORMATION REQUESTS MADE TO LEGISLATIVE  
11 EMPLOYEES; TO PROVIDE THAT REQUESTS BY MEMBERS-  
12 ELECT OF THE GENERAL ASSEMBLY ARE ENTITLED TO  
13 CONFIDENTIALITY; TO PROVIDE THAT THE LEGISLATIVE  
14 COUNCIL MAY AUTHORIZE THE BUREAU OF LEGISLATIVE  
15 RESEARCH TO PROVIDE DRAFTING ASSISTANCE TO STATE  
16 AGENCIES AND CONSTITUTIONAL OFFICERS; AND FOR  
17 OTHER PURPOSES.

## Subtitle

19 AN ACT CONCERNING DRAFTING REQUESTS AND  
20 INFORMATION REQUESTS MADE TO LEGISLATIVE  
21 EMPLOYEES.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code Title 10, Chapter 2, Subchapter 1 is amended  
28 to add an additional section to read as follows:

29 10-2-129. Drafting and information requests to legislative employees.

30 (a) As used in this section:

31 (1) "Legislator" means any member of the General Assembly or a  
32 member-elect of the General Assembly; and

33 (2) "Legislative employee" means an employee of the House of  
34 Representatives, Senate, Bureau of Legislative Research, Division of  
35 Legislative Audit, and the Arkansas Code Revision Commission.

36 (b)(1) A drafting request or information request made to a legislative



1 employee by or on behalf of a legislator is confidential.

2 (2) The identity of the legislator making the request, except to  
 3 the extent necessary to fulfill the request, and the existence of the request  
 4 shall not be revealed to any person who is not a legislative employee without  
 5 the consent of the legislator.

6 (c)(1) Any supporting documents submitted or caused to be submitted to  
 7 a legislative employee by a legislator in connection with a drafting or  
 8 information request are confidential.

9 (2) Except to the extent necessary to fulfill the request, the  
 10 document, copies of the document, or the identity of the person, firm, or  
 11 association producing it shall not be provided to any person who is not a  
 12 legislative employee without the consent of the legislator.

13 (d) Unless made public by the legislator, a drafting request,  
 14 information request, supporting documents, and the drafts or the work product  
 15 for a drafting request or information request are not “public records” under  
 16 § 25-19-103.

17 (e)(1) The Legislative Council may authorize the staff of the Bureau  
 18 of Legislative Research to provide assistance to state agencies and  
 19 constitutional officers in preparing legislation.

20 (2) If the Legislative Council authorizes the staff of the  
 21 bureau to provide assistance to state agencies and constitutional officers in  
 22 preparing legislation, the request, supporting documents, working papers, and  
 23 drafts in the possession of the bureau are confidential and are not “public  
 24 records” under § 25-19-103.

25 (f) Nothing in this section prohibits a legislative employee from  
 26 working on similar or identical drafting requests or information requests  
 27 from more than one (1) legislator.

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