

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

# A Bill

HOUSE BILL 2529

4  
5 By: Representatives D. Creekmore, Pace, Mack, S. Prater  
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## For An Act To Be Entitled

9 AN ACT TO CREATE THE ADDRESS CONFIDENTIALITY  
10 PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE OR THEIR  
11 DEPENDENTS; TO ALLOW THEM TO USE A POST OFFICE  
12 BOX IN LIEU OF A RESIDENCE ADDRESS; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

15 TO CREATE THE ADDRESS CONFIDENTIALITY  
16 PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE  
17 OR THEIR DEPENDENTS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 27, Chapter 16, Subchapter 8 is amended  
24 to add an additional section to read as follows:

25 27-16-810. Exception to disclosing residence address – Address  
26 confidentiality program.

27 (a) For the purposes of this section, “licensee” means a person who is  
28 applying for, renewing, or requesting a change to his or her driver’s license  
29 issued or to be issued under this chapter and who is:

30 (1) The victim of domestic violence; or

31 (2) The dependent of a victim of domestic violence.

32 (b) A licensee shall qualify for the exception for disclosing a  
33 residence address under this section if he or she:

34 (1) Presents a valid order of protection issued under The  
35 Domestic Abuse Act of 1991, § 9-15-101 et seq.;

36 (2) Presents an affidavit in which the licensee states that he



1 or she:

2 (A)(i) Is a victim of domestic violence; or

3 (ii) Is the dependent of a victim of domestic  
4 violence; and

5 (B) (i) Fears further acts of domestic violence; or

6 (ii) Resides with the victim of domestic violence  
7 and fears further acts of domestic violence against his or her parent,  
8 custodian, or guardian; and

9 (3) Agrees to the terms of participation in the address  
10 confidentiality program.

11 (c)(1) A licensee who participates in the address confidentiality  
12 program under this section shall be issued a driver's license that discloses  
13 a post office box address in lieu of his or her residence address.

14 (2)(A) The licensee shall provide to the Department of Finance  
15 and Administration his or her residence address which shall be kept on file  
16 with the Department of Finance and Administration for as long as the licensee  
17 holds a license that displays a post office box in lieu of a residence  
18 address.

19 (B) The licensee shall update his or her residence address  
20 and post office box address with the Department of Finance and Administration  
21 if a change occurs.

22 (3)(A) The Department of Finance and Administration shall only  
23 disclose the residence address to a person who:

24 (i) Presents a compelling reason for access to the  
25 residence address in an affidavit;

26 (ii) Presents valid identification to the Department  
27 of Finance and Administration; and

28 (iii) Is not a person against whom the order of  
29 protection has been entered or who is related by blood or marriage to the  
30 person against whom the order of protection has been entered.

31 (B) The Department of Finance and Administration shall  
32 maintain a record of each and every person to whom the department discloses  
33 the residence address.

34 (C) The Department of Finance and Administration shall  
35 provide written notice to the licensee that advises him or her of a  
36 disclosure to a third party.

1                   (D)(i) The Department of Finance and Administration shall  
2 accept complaints from the licensee if the licensee objects to the disclosure  
3 to a third party.

4                   (ii) The Department of Finance and Administration  
5 shall refer a complaint to the prosecuting attorney for prosecution for  
6 perjury or another offense relating to judicial or other official proceedings  
7 under § 5-53-101 through 5-53-134 related to a false compelling reason stated  
8 in an affidavit under subdivision (c)(3)(A)(i).

9                   (d) The Director of the Department of Finance and Administration shall  
10 promulgate rules and forms to administer the address confidentiality program  
11 under this section.

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13                   SECTION 2. Arkansas Code § 27-16-801(a)(2), regarding driver's  
14 licenses generally, is amended to read as follows:

15                   (2) Each license shall include:

16                   (A) A distinguishing number assigned to the licensee;

17                   (B)(i) The Except as provided under subdivision  
18 (a)(2)(B)(ii) of this section, the name, residence address (if the licensee  
19 is a law enforcement officer, at the officer's option the license shall  
20 diselose a post office box in lieu of the residence address), date of birth,  
21 and a brief description of the licensee.

22                   (ii) The following exceptions to providing a  
23 residence address and instead providing a post office box address shall be  
24 allowed at the option of the licensee:

25                   (a) If the licensee is a law enforcement  
26 officer; or

27                   (b) If the licensee is a victim of domestic  
28 violence or the dependent of a victim of domestic violence as provided under  
29 § 27-16-810; and

30                   (C) A space upon which the licensee may affix his  
31 signature.

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