

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 2545

4  
5 By: Representative Dunn  
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## For An Act To Be Entitled

8  
9 AN ACT CONCERNING REQUESTS FOR RECORDS UNDER THE  
10 FREEDOM OF INFORMATION ACT OF 1967; AND FOR OTHER  
11 PURPOSES.  
12

## Subtitle

13  
14 AN ACT CONCERNING REQUESTS FOR RECORDS  
15 UNDER THE FREEDOM OF INFORMATION ACT OF  
16 1967.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 25-19-105(a)(2)(B), concerning requests to  
22 inspect, copy, or receive copies of public records, is amended to read as  
23 follows:

24 (B) The request may be made ~~in person, by telephone,~~ by  
25 mail, by facsimile transmission, by electronic mail, or by other electronic  
26 means provided by the custodian.  
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28 SECTION 2. Arkansas Code § 25-19-105(d)(3)(A), concerning fees for  
29 copies requested under the Freedom of Information Act of 1967, is amended to  
30 read as follows:

31 (3)(A)(i) Except as provided in subdivision (d)(3)(A)(ii)  
32 of this section, § 25-19-109 or by law, any fee for copies shall not exceed  
33 the actual costs of reproduction, including the costs of the medium of  
34 reproduction, supplies, equipment, and maintenance, but not including  
35 existing agency personnel time associated with searching for, retrieving,  
36 reviewing, or copying the records.



1                   (ii) Any fee for copies of records created more than  
2 twelve (12) months before the date of a request made under this section shall  
3 not exceed the actual costs of reproduction, including the costs of the  
4 medium of reproduction, supplies, equipment, maintenance, and existing agency  
5 personnel time associated with searching for, retrieving, reviewing, or  
6 copying the records.

7                   ~~(ii)~~(iii) The custodian may also charge the actual  
8 costs of mailing or transmitting the record by facsimile or other electronic  
9 means.

10                   ~~(iii)~~(iv) If the estimated fee exceeds twenty-five  
11 dollars (\$25.00), the custodian may require the requester to pay that fee in  
12 advance.

13                   ~~(iv)~~(v) Copies may be furnished without charge or at  
14 a reduced charge if the custodian determines that the records have been  
15 requested primarily for noncommercial purposes and that waiver or reduction  
16 of the fee is in the public interest.

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