

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 86th General Assembly  
3 Regular Session, 2007  
4

As Engrossed: H1/16/07

# A Bill

HOUSE BILL 1103

5 By: Representatives E. Brown, Allen, T. Baker, Blount, J. Brown, Burkes, Cornwell, Davis, S. Dobbins,  
6 Flowers, W. Lewellen, Thyer, Wells, Woods  
7

## For An Act To Be Entitled

8  
9  
10 AN ACT TO CLARIFY THAT CRIMINAL HISTORY  
11 INFORMATION SHALL NOT BE DISSEMINATED FOR  
12 NONCRIMINAL JUSTICE PURPOSES UNDER CERTAIN  
13 CIRCUMSTANCES; AND FOR OTHER PURPOSES.  
14

## Subtitle

15 TO CLARIFY THAT CRIMINAL HISTORY  
16 INFORMATION SHALL NOT BE DISSEMINATED  
17 FOR NONCRIMINAL JUSTICE PURPOSES UNDER  
18 CERTAIN CIRCUMSTANCES.  
19  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Arkansas Code § 12-12-1009 is amended to read as follows:  
25 12-12-1009. Dissemination of conviction information for noncriminal  
26 justice purposes.

27 (a) ~~Conviction~~ Except as provided in subsection (f) of this section,  
28 conviction information shall be made available for the following noncriminal  
29 justice purposes:

30 (1) To any local, state, or federal governmental agency that  
31 requests the conviction information for the enforcement of a local, state, or  
32 federal law;

33 (2) To any entity authorized either by the subject of the record  
34 in writing or by state or federal law to receive the conviction information;  
35 and

36 (3) To any federal agency or central repository in another state



1 requesting the conviction information for a purpose authorized by law.

2 (b) Conviction information disseminated for noncriminal justice  
3 purposes under this subchapter shall be used only for the purposes for which  
4 it was made available and may not be redisseminated.

5 (c) Nonconviction information shall not be available under the  
6 provisions of this subchapter for noncriminal justice purposes.

7 (d) No agency or individual shall confirm the existence or  
8 nonexistence of criminal history information to any person or organization  
9 that would not be eligible to receive the information pursuant to this  
10 subchapter.

11 (e) A local agency may release its own agency records according to its  
12 own policy.

13 (f) Criminal history information pertaining to a notation of arrest,  
14 detention, indictment, information, or other formal criminal charge shall not  
15 be available under this subchapter for a noncriminal justice purpose if a  
16 person is charged or arrested for any criminal offense and the charge is  
17 subsequently nolle prossed or dismissed or the person is acquitted at trial.

18  
19 /s/ E. Brown, et al.  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36