

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

# A Bill

HOUSE BILL 2471

5 By: Representative Lamoureux  
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## For An Act To Be Entitled

8 AN ACT TO CONTINUE THE FREEDOM OF INFORMATION ACT  
9 PROVISIONS AFFECTING THE RECORDS AND MEETINGS OF  
10 PUBLIC WATER SYSTEMS; AND FOR OTHER PURPOSES.  
11

## Subtitle

12 TO CONTINUE THE FREEDOM OF INFORMATION  
13 ACT PROVISIONS AFFECTING THE RECORDS AND  
14 MEETINGS OF PUBLIC WATER SYSTEMS.  
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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 § 25-19-103(6), concerning the definition of  
22 "public water system", is amended to read as follows:

23 (6)(A) "Public water system" means all facilities composing a  
24 system for the collection, treatment, and delivery of water to the general  
25 public, including, but not limited to, reservoirs, pipelines, reclamation  
26 facilities, processing facilities, and distribution facilities.

27 (B) This subdivision (6) shall expire on ~~July 1, 2007~~ July  
28 1, 2009.  
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30 SECTION 2. Arkansas Code § 25-19-105(b)(16), concerning the expiration  
31 date of the exclusion for records of a public water system, is amended to  
32 read as follows:

33 (16)(A) Records, including analyses, investigations, studies,  
34 reports, recommendations, requests for proposals, drawings, diagrams,  
35 blueprints, and plans, containing information relating to security for any  
36 public water system.



1 (B) The records shall include:  
 2 (i) Risk and vulnerability assessments;  
 3 (ii) Plans and proposals for preventing and  
 4 mitigating security risks;  
 5 (iii) Emergency response and recovery records;  
 6 (iv) Security plans and procedures; and  
 7 (v) Any other records containing information that if  
 8 disclosed might jeopardize or compromise efforts to secure and protect the  
 9 public water system.

10 (C) This subdivision (b)(16) shall expire on ~~July 1, 2007~~  
 11 July 1, 2009.

13 SECTION 3. Arkansas Code § 25-19-106(c)(6), concerning the expiration  
 14 date for a public agency to meet in executive session about a public water  
 15 system security, is amended to read as follows:

16 (6)(A) Subject to the provisions of subdivision (c)(4) of this  
 17 section, any public agency may meet in executive session for the purpose of  
 18 considering, evaluating, or discussing matters pertaining to public water  
 19 system security as described in § 25-19-105(b)(16).

20 (B) This subdivision (c)(6) shall expire on ~~July 1, 2007~~  
 21 July 1, 2009.

23 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the  
 24 General Assembly of the State of Arkansas that certain provisions in the  
 25 Freedom of Information Act concerning the records and meetings of public  
 26 water systems will expire on July 1, 2007; that those provisions are  
 27 necessary to ensure that public water systems are operated and managed safely  
 28 and effectively; and that this act is immediately necessary in order to  
 29 provide security for public water systems. Therefore, an emergency is  
 30 declared to exist and this act being necessary for the preservation of the  
 31 public peace, health, and safety shall become effective on July 1, 2007.

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