

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1987

5 By: Representative Baine
6

For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE SHARING
9 OF CERTAIN INVESTIGATORY INFORMATION BY AUTHORIZED
10 ENTITIES; AMENDING A PORTION OF ARKANSAS LAW
11 RESULTING FROM INITIATED ACT 1 OF 1990; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 CONCERNING THE SHARING OF CERTAIN
16 INVESTIGATORY INFORMATION BY AUTHORIZED
17 ENTITIES; AND AMENDING A PORTION OF
18 ARKANSAS LAW RESULTING FROM AN INITIATED
19 ACT.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code § 7-6-218(b)(3)(B)), concerning citizens
26 complaints to the Arkansas Ethics Commission and resulting from Initiated Act
27 1 of 1990, is amended to read as follows:

28 (B)(i) ~~All~~ Except as provided in subdivisions
29 (b)(3)(B)(ii) of this section, all proceedings, records, and transcripts of
30 any investigations or inquiries shall be kept confidential by the commission,
31 unless the respondent requests disclosure of documents relating to
32 investigation of the case, in case of a hearing under subdivision (b)(2) of
33 this section, or in case of judicial review of a commission decision pursuant
34 to § 25-15-212.

35 (ii)(a) ~~However, through~~ Through its members or
36 staff, the commission may disclose confidential information to proper law



1 enforcement officials, agencies, and bodies or as may be required to conduct
 2 its investigation.

3 (b) If an investigation or inquiry concerns an
 4 attorney or judge, the commission may, through its members or staff, disclose
 5 confidential information to the Supreme Court Committee on Professional
 6 Conduct or the Judicial Discipline and Disability Commission.

7
 8 SECTION 2. Arkansas Code § 16-10-404(b)(1)(G), concerning
 9 investigations of the Judicial Discipline and Disability Commission, is
 10 amended to read as follows:

11 (G)(i) If, during the course of or after an investigation or
 12 hearing, the commission reasonably believes that there may have been a
 13 violation of any rules of professional conduct of attorneys at law, the
 14 commission may release such information to any committee, commission, agency,
 15 or body within or outside of the state empowered to investigate, regulate, or
 16 adjudicate matters incident to the legal profession.

17 (ii) If, during the course of or after an
 18 investigation or hearing, the commission reasonably believes that there may
 19 have been a violation of a law or rule falling under the jurisdiction of the
 20 Arkansas Ethics Commission, the commission may release such information to
 21 the Arkansas Ethics Commission; or