

State of Arkansas

As Engrossed: S1/30/13

89th General Assembly

A Bill

Regular Session, 2013

SENATE BILL 131

By: Senators Holland, J. Hendren, Hester, J. Hutchinson, Irvin, Rapert, D. Sanders, J. Woods

By: Representatives Alexander, Ballinger, Barnett, Biviano, Bragg, Collins, Davis, Dotson, D. Douglas,

Eubanks, Gillam, Gossage, Kerr, Lea, S. Meeks, Miller, Neal, Payton, Scott, Wardlaw, Womack

For An Act To Be Entitled

AN ACT TO PROTECT THE PRIVACY OF OWNERS OF, AND
APPLICANTS FOR, CONCEALED HANDGUN CARRY LICENSES; TO
EXEMPT THE NAME AND CORRESPONDING ZIP CODE OF AN
APPLICANT, LICENSEE, OR PAST LICENSEE FROM DISCLOSURE
UNDER THE FREEDOM OF INFORMATION ACT OF 1967; TO
DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO PROTECT THE PRIVACY OF OWNERS OF, AND
APPLICANTS FOR, CONCEALED HANDGUN CARRY
LICENSES; TO EXEMPT THE NAME AND
CORRESPONDING ZIP CODE OF THE APPLICANT,
LICENSEE, OR PAST LICENSEE FROM
DISCLOSURE; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 25-19-105(b)(19), concerning the concealed
handgun records exemption to the Freedom of Information Act of 1967, is
amended to read as follows:

(19) Records pertaining to the issuance, renewal, expiration,
suspension, or revocation of a license to carry a concealed handgun, or a
present or past licensee under § 5-73-301 et seq., including without
limitation all records provided to or obtained by ~~any~~ a local, state, or
federal ~~governments, government or~~ government or their officials, agents, or employees in



1 the investigation of an applicant, licensee, or past licensee, and all
2 records pertaining to a criminal or health history check conducted on the
3 applicant, licensee, or past licensee except that:

4 (A) Information or other records regarding an applicant,
5 licensee, or past licensee may be released to a law enforcement agency ~~for~~
6 ~~the purpose of assisting to assist~~ in a criminal investigation or
7 prosecution, ~~or for determining to determine the~~ validity of or eligibility
8 for a license; and

9 (B) ~~Names~~ The name of an applicant, licensee, or past
10 licensee may be released as contained in investigative or arrest reports of
11 law enforcement that are subject to release as public records; ~~and.~~

12 ~~(C) The name and the corresponding zip code of an~~
13 ~~applicant, licensee, or past licensee may be released upon request by a~~
14 ~~citizen of Arkansas.~~

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16 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
17 General Assembly of the State of Arkansas that the release of records to the
18 general public concerning persons licensed to carry a concealed handgun is an
19 unwarranted invasion of privacy and threatens the safety and property of the
20 persons identified; and that this act is immediately necessary to prevent
21 harm to citizens and safeguard their property. Therefore, an emergency is
22 declared to exist, and this act being immediately necessary for the
23 preservation of the public peace, health, and safety shall become effective
24 on:

25 (1) The date of its approval by the Governor;

26 (2) If the bill is neither approved nor vetoed by the Governor,
27 the expiration of the period of time during which the Governor may veto the
28 bill; or

29 (3) If the bill is vetoed by the Governor and the veto is
30 overridden, the date the last house overrides the veto.

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32 */s/Holland*
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