

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H3/20/17

A Bill

HOUSE BILL 1914

5 By: Representatives Gates, Ballinger, G. Hodges
6 By: Senators A. Clark, J. Cooper
7

For An Act To Be Entitled

8
9 *AN ACT TO AMEND THE LAW CONCERNING THE DISCLOSURE OF*
10 *INFORMATION RELATING TO A DEPENDENCY-NEGLECT*
11 *PROCEEDING OR A FAMILY IN NEED OF SERVICES*
12 *PROCEEDING; AND FOR OTHER PURPOSES.*
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Subtitle

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16 *TO AMEND THE LAW CONCERNING THE*
17 *DISCLOSURE OF INFORMATION RELATING TO A*
18 *DEPENDENCY-NEGLECT PROCEEDING OR A FAMILY*
19 *IN NEED OF SERVICES PROCEEDING.*
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 *SECTION 1. Arkansas Code § 9-27-309, concerning the confidentiality of*
25 *records relating to proceedings initiated under the Arkansas Juvenile Code,*
26 *is amended to add an additional subdivision to read as follows:*

27 *(n)(1) A defendant in a dependency-neglect proceeding or family in*
28 *need of services proceeding is not prohibited from disclosing information*
29 *related to the proceeding unless the:*

30 *(A) Circuit court enters an order prohibiting the*
31 *disclosure of information related to the proceeding; or*

32 *(B) Defendant is prohibited from disclosing the*
33 *information under other applicable law or court order.*

34 *(2)(A) A circuit court may enter an order prohibiting the*
35 *disclosure of information related to a dependency-neglect proceeding or a*
36 *family in need of services proceeding if the circuit court finds by a*



1 preponderance of the evidence that:

2 (i) A juvenile involved in the proceeding is likely
3 to suffer harm if information related to the proceeding is disclosed; or

4 (ii)(a) An order prohibiting the disclosure of
5 information is necessary to preserve another compelling state interest.

6 (b) An order prohibiting disclosure of
7 information under subdivision (n)(2)(A)(ii) of this section shall be narrowly
8 tailored to serve the compelling state interest and include sufficient
9 findings of facts to support the order.

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12 /s/Gates
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