

1 State of Arkansas As Engrossed: H2/28/19 H3/7/19 H3/20/19

2 92nd General Assembly

A Bill

3 Regular Session, 2019

HOUSE BILL 1382

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5 By: Representative Sorvillo

6 By: Senators Hickey, Teague

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For An Act To Be Entitled

9 AN ACT TO EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF
10 INFORMATION ACT OF 1967 AND KEEP CONFIDENTIAL RECORDS
11 AND INFORMATION CONCERNING A LOTTERY WINNER; AND FOR
12 OTHER PURPOSES.

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Subtitle

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17 TO EXEMPT FROM DISCLOSURE UNDER THE
18 FREEDOM OF INFORMATION ACT OF 1967 AND
19 KEEP CONFIDENTIAL RECORDS AND INFORMATION
20 CONCERNING A LOTTERY WINNER.

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

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SECTION 1. Arkansas Code § 23-115-404 is amended to read as follows:
25 23-115-404. Confidential information.

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(a)(1) Except as provided in subdivision (a)(2) and subsections (b)
28 and (c) of this section, the Office of the Arkansas Lottery shall comply with
the Freedom of Information Act of 1967, § 25-19-101 et seq.

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(2) The following records or information shall be treated as
31 confidential and are exempt from public disclosure under the Freedom of
Information Act of 1967, § 25-19-101 et seq.:

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(A) Information pertaining to the security of lottery
games and lottery operations, including without limitation:

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(i) Security measures, systems, or procedures; and

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(ii) Security reports; ~~and~~

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(B) Any records exempt from disclosure under the Freedom



1 of Information Act of 1967, § 25-19-101 et seq.; and

2 (C)(i) Any identifying records or information regarding a
3 lottery winner who wins over five hundred thousand dollars (\$500,000) only if
4 the lottery winner requests that his or her identifying records and
5 information remain confidential and exempt from disclosure under the Freedom
6 of Information Act of 1967, § 25-19-101 et seq.

7 (ii) The office shall notify a lottery winner who
8 wins over five hundred thousand dollars (\$500,000) of the option to remain
9 confidential under subdivision (a)(2)(C)(i) of this section.

10 (iii) The exemption for a lottery winner who wins
11 over five hundred thousand dollars (\$500,000) under subdivision (a)(2)(C)(i)
12 of this section does not apply to an elected public official.

13 (iv) The office may make public the location at
14 which a lottery winner under subdivision (a)(2)(C)(i) of this section
15 purchased the winning lottery ticket.

16 (b) Except as otherwise required by law, an employee of the office
17 or of an entity listed in subsection (c) of this section who has been given
18 access to any identifying records or information regarding a lottery winner
19 who wins over five hundred thousand dollars (\$500,000) shall not disclose the
20 identifying records or information of the lottery winner who wins over five
21 hundred thousand dollars (\$500,000) to another individual or entity.

22 ~~(b)(c)~~ The following entities ~~Arkansas Legislative Audit~~ shall have
23 full access to the records of the office:

24 (1) The Internal Revenue Service;

25 (2) Arkansas Legislative Audit;

26 (3) The Department of Finance and Administration;

27 (4) The Federal Bureau of Investigation; and

28 (5) The Department of Arkansas State Police.

29 (d) The office shall require one of its employees to serve as a
30 custodian who shall monitor lottery winners to ensure that a person who has
31 won the lottery on multiple occasions does not have information that
32 influences or increases the person's chance of winning the lottery.

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34 /s/Sorvillo