

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

HOUSE BILL 1630

4
5 By: Representatives Lundstrum, Bentley, Brown, Christiansen, C. Cooper, Crawford, A. Davis, Evans,
6 Gates, M. Gray, Penzo, Richmond, B. Smith, Warren
7 By: Senator J. Cooper

For An Act To Be Entitled

11 AN ACT TO EXEMPT CERTAIN INFORMATION PERTAINING TO A
12 LAW ENFORCEMENT OFFICER FROM THE FREEDOM OF
13 INFORMATION ACT OF 1967; CONCERNING PUBLIC RECORD
14 WEBSITES; AND FOR OTHER PURPOSES.

Subtitle

18 TO EXEMPT CERTAIN INFORMATION PERTAINING
19 TO A LAW ENFORCEMENT OFFICER FROM THE
20 FREEDOM OF INFORMATION ACT OF 1967; AND
21 CONCERNING PUBLIC RECORD WEBSITES.

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

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26 SECTION 1. Arkansas Code § 25-19-105(b), concerning the examination
27 and copying of public records, is amended to add an additional subdivision to
28 read as follows:

29 (24)(A)(i) Personal contact information, real property records,
30 personal property records, and tax records of an active or retired law
31 enforcement officer if the active or retired law enforcement officer submits
32 the appropriate documentation to the relevant employer, city clerk, county
33 recorder, county assessor, county clerk, or other governmental body that the
34 active or retired law enforcement officer requires the protection of personal
35 information, upon good cause, and that that the personal contact information,
36 real property records, personal property records, or tax records be omitted



1 from disclosure, search, or inclusion in online searchable databases made
 2 available by an employer, city, county or other governmental body.

3 (ii) As used in this subdivision (b)(24),
 4 "appropriate documentation" means the standardized form developed in
 5 accordance with this act which shall include the signature of the any of the
 6 following:

7 (a) Supervisor of the active law enforcement
 8 officer; and

9 (b) Relevant department head of the law
 10 enforcement agency of the active or retired law enforcement officer; or

11 (c) The current supervisor or relevant
 12 department head of the agency from which the law enforcement officer retired.

13 (iii) As used in this subdivision (b)(24), personal
 14 contact information shall include the law enforcement officers:

15 (a) Home address;

16 (b) Home telephone number;

17 (c) Cellular telephone number;

18 (d) Emergency contact information;

19 (e) Date of birth;

20 (f) Social Security number; and

21 (g) Information related to a law enforcement
 22 officer's family.

23 (B) A search or inquiry concerning real property records,
 24 personal property records, or tax records that are omitted under subdivision
 25 (b)(24)(A)(i) of this section shall be flagged to indicate that the personal
 26 contact information, real property records, personal property records, or tax
 27 records have been omitted.

28 (C)(i) Personal contact information, real property
 29 records, personal property records, or tax records that are omitted shall
 30 remain omitted for two (2) years.

31 (ii) An active or retired law enforcement officer
 32 may submit appropriate documentation to the relevant county recorder, county
 33 assessor, or county clerk to extend the privacy of the personal contact
 34 information, real property records, personal property records, or tax records
 35 upon the expiration of the two-year period under subdivision (b)(24)(C)(i) of
 36 this section.

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SECTION 2. DO NOT CODIFY. Temporary legislation.

(a) There is created a focus group to develop, by May 1, 2020, a standardized form that may be submitted by an active or retired law enforcement officer to the relevant county recorder, county assessor, or county clerk to serve as notification that the active or retired law enforcement officer requires his or her real property records, personal property records, or tax records to be private.

(b) The members of the focus group shall be appointed by the Speaker of the House of Representatives, and membership shall consist of:

- (1) One (1) circuit court county clerk in this state;
 - (2) One (1) county assessor in this state;
 - (3) One (1) county tax recorder in this state;
 - (4) One (1) representative of the banking industry in this state;
 - (5) One (1) representative from a title company in this state;
- and
- (6) One (1) active law enforcement officer in this state.

(c)(1) The focus group shall meet at least three (3) times before May 1, 2020.

(2) The focus group shall meet at least one (1) time during each of the months of August, December, and April.

(3) The focus group may conduct its meetings telephonically or through an online platform.

(d) The focus group shall expire on May 1, 2020.

SECTION 3. DO NOT CODIFY. Effective date.

Section 1 of this act shall become effective on and after May 1, 2020.