

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

A Bill

SENATE BILL 646

4
5 By: Senator G. Leding
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7 For An Act To Be Entitled

8 AN ACT CONCERNING CONFIDENTIAL AND PRIVILEGED RECORDS
9 OF THE STATE CRIME LABORATORY; AND FOR OTHER
10 PURPOSES.
11

12 Subtitle

13 CONCERNING CONFIDENTIAL AND PRIVILEGED
14 RECORDS OF THE STATE CRIME LABORATORY.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 12-12-312(a)(1)(A), concerning confidential
21 and privileged records of the State Crime Laboratory, is amended to read as
22 follows:

23 (a)(1)(A)(i) The records, files, and information kept, obtained, or
24 retained by the State Crime Laboratory under this subchapter are privileged
25 and confidential.

26 (ii) The records, files, and information shall be
27 released only under and by the direction of a court of competent
28 jurisdiction, the prosecuting attorney having criminal jurisdiction over the
29 case, or ~~the public defender appointed or assigned to the case~~ an attorney
30 representing a person in any capacity related to a criminal case, including
31 without limitation an appeal, a petition for post-conviction relief, or in a
32 parole proceeding, without regard to whether the person is currently a
33 defendant.

34 (iii) In cases in which the cause and manner of
35 death are not criminal in nature, the laboratory may communicate without
36 prior authorization required under subdivision (a)(1)(A)(ii) of this section



1 with the decedent's next of kin or the next of kin's designee, including
2 without limitation:

- 3 (a) Parents;
- 4 (b) Grandparents;
- 5 (c) Siblings;
- 6 (d) Spouses;
- 7 (e) Adult children; or
- 8 (f) Legal guardians.