

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025

A Bill

HOUSE BILL 1883

4
5 By: Representative Long
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For An Act To Be Entitled

8
9 AN ACT TO CREATE THE ARKANSAS FOURTH AMENDMENT
10 PROTECTION ACT; TO AMEND THE LAW CONCERNING THE
11 COLLECTION OF ELECTRONIC DATA AND METADATA; AND FOR
12 OTHER PURPOSES.
13

Subtitle

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16 TO CREATE THE ARKANSAS FOURTH AMENDMENT
17 PROTECTION ACT; AND TO AMEND THE LAW
18 CONCERNING THE COLLECTION OF ELECTRONIC
19 DATA AND METADATA.
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code Title 25, Chapter 1, is amended to add an
24 additional subchapter to read as follows:
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26 Subchapter 13 – Arkansas Fourth Amendment Protection Act

27
28 25-1-1301. Title.

29 This subchapter shall be known and may be cited as the "Arkansas Fourth
30 Amendment Protection Act".
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32 25-1-1302. Definitions.

33 As used in this subchapter:

34 (1) "Electronic data" means information related to an electronic
35 communication or the use of an electronic communication service, including
36 without limitation:



1 (A) The content, sender, recipient, or format of an
2 electronic communication;

3 (B) The precise or approximate location of the sender or
4 recipient of an electronic communication at any time during the
5 communication;

6 (C) The time or date the electronic communication was
7 created, sent, or received; and

8 (D) The identity of an individual or device involved in
9 the electronic communication, including without limitation an internet
10 protocol address;

11 (2) "Metadata" means information generally not visible when an
12 electronic document is printed describing the history, tracking data, or
13 management of the electronic document, including without limitation:

14 (A) Information about data in the electronic document that
15 describes how, when, and by whom the data were collected, created, accessed,
16 or modified; and

17 (B) How the data are formatted; and

18 (3) "State agency" means an instrumentality of state government,
19 including without limitation a board, commission, committee, advisory board,
20 office, department, institution, bureau, council, administrative program,
21 agency, and division.

22
23 25-1-1303. State entities prohibited from assisting federal agencies
24 collecting electronic data or metadata.

25 The state or a state agency shall not assist, participate with, or
26 provide material support or resources to enable a United States Government
27 agency in the collection or use of a person's electronic data or metadata,
28 unless one (1) or more of the following apply:

29 (1) The person has given informed consent; or

30 (2) The collection or use of the electronic data or metadata is:

31 (A) Pursuant to a warrant that:

32 (i) Is based upon reasonable cause; and

33 (ii) Describes with particularity the person, place,
34 or thing to be searched or seized; or

35 (B) According to a legally recognized exception to the
36 warrant requirement.