

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: H4/1/19

# A Bill

HOUSE BILL 1630

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  
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## 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.  
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### 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. TEMPORARY LANGUAGE. DO NOT CODIFY. Undercover Law*  
27 *Enforcement Officer Public Records Protection Study – Creation – Duties.*

28 *(a) There is created the Undercover Law Enforcement Officer Public*  
29 *Records Protection Study.*

30 *(b)(1) The study shall be conducted by a focus group to consist of the*  
31 *following members to be appointed by the Speaker of the House of*  
32 *Representatives:*

33 *(A) Three (3) members of the House of Representatives;*

34 *(B) One (1) circuit court county clerk in this state;*

35 *(C) One (1) county assessor in this state;*

36 *(D) One (1) county tax recorder in this state;*



1 (E) One (1) representative of the Association of Arkansas  
2 Counties;

3 (F) One (1) representative of the banking industry in this  
4 state;

5 (G) Two (2) representatives from a title company in this  
6 state;

7 (H) Two (2) active or retired law enforcement officers in  
8 this state; and

9 (I) One (1) attorney licensed to practice law in the State  
10 of Arkansas.

11 (2) If a vacancy occurs within the focus group, the vacancy  
12 shall be filled by the same process as the original appointment.

13 (c)(1) The Speaker of the House of Representatives shall call the  
14 first meeting of the focus group within sixty (60) days of the effective date  
15 of this act.

16 (2) The Speaker of the House of Representatives shall designate  
17 a member of the focus group to serve as chair of the first meeting of the  
18 focus group.

19 (3) At the first meeting of the focus group, the members of the  
20 focus group shall elect from its membership a chair, vicechair, and  
21 secretary.

22 (4)(A) All meetings of the focus group shall be open public  
23 meetings under the Freedom of Information Act of 1967, Arkansas Code § 25-19-  
24 101, et seq..

25 (B) Meetings of the focus group may be held at any  
26 location in the state or by teleconference.

27 (C) Meetings of the focus group shall be held at least  
28 one (1) time every three (3) months but may occur more often at the call of  
29 the chair.

30 (5) The Bureau of Legislative Research shall provide staff  
31 services for the focus group.

32 (d) The purpose of the study is to examine and produce a method of  
33 protecting the privacy of active and undercover law enforcement officers in  
34 their personal lives by exempting certain records regarding the law  
35 enforcement officers' personal information from disclosure under the Freedom  
36 of Information Act of 1967, § 25-19-101 et seq.

1 (e) To achieve the purpose of the study, the focus group shall:

2 (1) Develop a standardized information sheet that may be  
3 distributed by county clerks to active and undercover law enforcement  
4 officers encouraging them to shield all personal information of the law  
5 enforcement officer and his or her immediate family;

6 (2) Review the laws, rules, regulations, and processes currently  
7 in place regarding protections for active undercover law enforcement  
8 officers' personal information from public disclosure; and

9 (3) Recommend legislative changes, rule changes, regulatory  
10 changes, and procedural changes necessary in order to better protect the  
11 personal information of active undercover law enforcement officers from  
12 disclosure.

13 (f) During the 2020 Fiscal Session and on or before May 1, 2020, the  
14 focus group shall submit to a joint meeting of the House Committee on State  
15 Agencies and Governmental Affairs and the Senate Committee on State Agencies  
16 and Governmental Affairs a final written report of its activities, findings,  
17 and recommendations, including without limitation any proposed legislation  
18 for the 2021 Regular Session.

19 (g) The focus group expires on May 1, 2020.

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21 /s/Lundstrum

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24 **APPROVED: 4/12/19**