

1 State of Arkansas As Engrossed: S4/9/25 S4/9/25

2 95th General Assembly

A Bill

3 Regular Session, 2025

SENATE BILL 614

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5 By: Senator C. Tucker

6 By: Representative Gazaway

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For An Act To Be Entitled

9 AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF
10 1967; TO AMEND THE LAW CONCERNING OPEN PUBLIC
11 MEETINGS; AND FOR OTHER PURPOSES.

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Subtitle

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TO AMEND THE FREEDOM OF INFORMATION ACT
16 OF 1967; AND TO AMEND THE LAW CONCERNING
17 OPEN PUBLIC MEETINGS.

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

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21 SECTION 1. Arkansas Code § 25-19-106, as amended by SB227 of 2025, is
22 amended to add an additional subsection to read as follows:

23 (j)(1) Notwithstanding any provision to the contrary, if a circuit
24 court finds that a governing body or a member of a governing body violated
25 this section concerning the issuance of bonds, the circuit court may only
26 invalidate the action by the governing body authorizing the issuance of bonds
27 within thirty (30) days of the date the action occurred.

28 (2) If a circuit court makes a finding described under
29 subdivision (j)(1) of this section more than thirty (30) days after the
30 action by the governing body authorizing the issuance of the bonds:

31 (A) The governing body shall cure the violation within
32 thirty (30) days after the finding of the circuit court by:

33 (i) Providing notice of the violation in compliance
34 with subsection (b) of this section;

35 (ii) Disclosing the violation at a public meeting;

36 and



1 (iii) Authorizing the action in question at the
2 public meeting in compliance with subdivision (a)(5) of this section; or

3 (B)(i) The circuit court shall impose a civil penalty of
4 one thousand dollars (\$1,000) on each individual member of the governing
5 body, up to the entire membership of the governing body, who the circuit
6 court finds committed or was otherwise responsible for the violation.

7 (ii) The civil penalty under subdivision
8 (j)(2)(B)(i) of this section shall:

9 (a) Be paid to the claimant asserting the
10 claim in circuit court within thirty (30) days of the finding of the circuit
11 court under subdivision (j)(1) of this section; and

12 (b) Not be satisfied by public funds.

13 (3) The remedies under subdivision (j)(2) of this section are
14 supplemental to all other remedies available under this chapter within the
15 applicable statute of limitations.

16 (4) As used in this subsection, "bonds" means bonds and other
17 debt-related instruments, including without limitation a short-term financing
18 obligation, under Arkansas Constitution, Amendment 78.

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20 SECTION 2. DO NOT CODIFY. Contingency.

21 (a) Section 1 of this act shall become effective only if SB227 of the
22 Ninety-Fifth General Assembly is enacted by the General Assembly and becomes
23 an act.

24 (b) If SB227 of the Ninety-Fifth General Assembly does not become an
25 act, Section 1 of this act shall not become effective.

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27 /s/C. Tucker
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