

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 2242

5 By: Representatives Davis, Della Rosa
6 By: Senator Hester
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF
10 1967 CONCERNING DATA RELATED TO A PUBLIC WATER SYSTEM
11 OR MUNICIPALLY OWNED UTILITY SYSTEM; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 TO AMEND THE FREEDOM OF INFORMATION ACT
16 OF 1967 CONCERNING DATA RELATED TO A
17 PUBLIC WATER SYSTEM OR MUNICIPALLY OWNED
18 UTILITY SYSTEM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 25-19-105(b)(18)-(20), concerning the
25 examination and copying of public records, is amended to read as follows:
26 (18)(A) Records, including analyses, investigations, studies,
27 reports, recommendations, requests for proposals, drawings, diagrams,
28 blueprints, and plans containing information relating to security for any
29 public water system or municipally owned utility system.

30 (B) The records under subdivision (b)(18)(A) include:

- 31 (i) Risk and vulnerability assessments;
32 (ii) Plans and proposals for preventing and
33 mitigating security risks;
34 (iii) Emergency response and recovery records;
35 (iv) Security plans and procedures;
36 (v) Plans and related information for generation,



1 transmission, and distribution systems; and

2 (vi) Other records containing information that if
 3 disclosed might jeopardize or compromise efforts to secure and protect the
 4 public water system or municipally owned utility system;

5 (C) However, this subsection shall not apply to a person
 6 or entity who is authorized by law to engage in the planning or construction
 7 of a project that requires the release of information under this subsection
 8 to facilitate the planning or construction of the project;

9 (19) Records pertaining to the issuance, renewal, expiration,
 10 suspension, or revocation of a license to carry a concealed handgun, or a
 11 present or past licensee under § 5-73-301 et seq., including without
 12 limitation all records provided to or obtained by a local, state, or federal
 13 government or their officials, agents, or employees in the investigation of
 14 an applicant, licensee, or past licensee, and all records pertaining to a
 15 criminal or health history check conducted on the applicant, licensee, or
 16 past licensee except that:

17 (A) Information or other records regarding an applicant,
 18 licensee, or past licensee may be released to a law enforcement agency to
 19 assist in a criminal investigation or prosecution or to determine the
 20 validity of or eligibility for a license; and

21 (B) The name of an applicant, licensee, or past licensee
 22 may be released as contained in investigative or arrest reports of law
 23 enforcement that are subject to release as public records;

24 (20) Personal information of current and former public water
 25 system customers and municipally owned utility system customers, including
 26 without limitation:

27 (A) Home and mobile telephone numbers;

28 (B) Personal email addresses;

29 (C) Home and business ~~addressees~~ addresses; and

30 (D) (i) Customer usage data;

31 (ii) However, a person or entity who is authorized
 32 by law to engage in the planning or construction of a project may obtain
 33 customer usage data if it is necessary to facilitate the planning or
 34 construction of the project;

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