

1 State of Arkansas As Engrossed: H3/28/19 H4/1/19 S4/5/19

2 92nd General Assembly

A Bill

3 Regular Session, 2019

HOUSE BILL 1417

4

5 By: Representatives Watson, M. Gray, Slape, Vaught

6 By: Senator L. Eads

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For An Act To Be Entitled

9 AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT OF
10 1967 TO PROTECT THE IDENTITY OF CERTAIN PERSONS
11 ASSISTING IN CRIMINAL INVESTIGATIONS; TO CREATE AN
12 EXEMPTION TO THE FREEDOM OF INFORMATION ACT OF 1967;
13 AND FOR OTHER PURPOSES.

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Subtitle

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TO AMEND THE FREEDOM OF INFORMATION ACT
18 OF 1967 TO PROTECT THE IDENTITY OF
19 CERTAIN PERSONS ASSISTING IN CRIMINAL
20 INVESTIGATIONS; AND TO CREATE AN
21 EXEMPTION TO THE FREEDOM OF INFORMATION
22 ACT OF 1967.

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

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27 SECTION 1. Arkansas Code § 25-19-105(b), concerning exemptions to the
28 document disclosure requirements of the Arkansas Freedom of Information Act
29 of 1967, is amended to add an additional subdivision to read as follows:

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(24)(A) When the custodian is a governmental entity that has knowledge of the individual's assistance as described in subdivisions (b)(24)(A)(i)-(iii) of this section, information that could reasonably be used to identify an individual who is assisting or has assisted a governmental entity in one (1) or more investigations, whether open or closed, of matters that are criminal in nature, if disclosure of the individual's identity could reasonably be expected to endanger the life or



1 physical safety of the individual or a member of the individual's family
2 within the first degree of consanguinity and:

3 (i) The individual is a confidential informant;

4 (ii) The individual is a confidential source; or

5 (iii) The individual's assistance is or was provided under
6 the assurance of confidentiality.

7 (B) As used in this subdivision (b)(24), "information that
8 could reasonably be used to identify an individual" includes the following:

9 (i) The individual's name;

10 (ii) The individual's date of birth;

11 (iii) A physical description of the individual that
12 could reasonably be used to identify him or her;

13 (iv) The individual's Social Security number,
14 driver's license number, or other government-issued number specific to him or
15 her;

16 (v) The individual's work or personal contact
17 information; and

18 (vi) Any other information about the individual that
19 could reasonably be used to identify the individual.

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21 /s/M. Gray
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24 **APPROVED: 4/15/19**
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