

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1139

5 By: Representative Vaught  
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## For An Act To Be Entitled

8 AN ACT CONCERNING THE STATE BOARD OF EMBALMERS,  
9 FUNERAL DIRECTORS, CEMETERIES, AND BURIAL SERVICES;  
10 AND FOR OTHER PURPOSES.  
11

## Subtitle

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13 CONCERNING THE STATE BOARD OF EMBALMERS,  
14 FUNERAL DIRECTORS, CEMETERIES, AND BURIAL  
15 SERVICES.  
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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 § 23-61-1111, concerning the duties of the  
22 State Insurance Department in relation to the State Board of Embalmers,  
23 Funeral Directors, Cemeteries, and Burial Services, is amended to add  
24 additional subsections to read as follows:

25 (c) All working papers, recorded information, documents, materials,  
26 and copies produced by, obtained by, or disclosed to the staff of the  
27 department in the course of an audit, examination, investigation, or  
28 inspection made under this subchapter, the laws governing embalmers and  
29 funeral directors under § 17-29-301 et seq., the Cemetery Act for Perpetually  
30 Maintained Cemeteries, § 20-17-1001 et seq., the Insolvent Cemetery Grant  
31 Fund Act, § 20-17-1301 et seq., or the laws governing burial associations  
32 under § 23-78-101 et seq.:

33 (1) Shall be treated as confidential and are not subject to the  
34 Freedom of Information Act of 1967, §§ 25-19-101 et seq., relating to open  
35 records;

36 (2) Shall not be subject to subpoena; and



1           (3) Shall not be made public by the staff of the department or  
2 any other person for the duration of the audit, examination, investigation,  
3 or inspection.

4           (d) All working papers, recorded information, documents, materials,  
5 and copies produced by, obtained by, or disclosed by the staff of the  
6 department or board in response to a request from staff of the department  
7 during the course of an audit, examination, investigation, or inspection:

8           (1) Shall be treated as confidential and are not subject to the  
9 Freedom of Information Act of 1967, §§ 25-19-101 et seq., relating to open  
10 records;

11           (2) Shall not be subject to subpoena; and

12           (3) Shall not be made public by the staff of the department or  
13 any other person during the duration of the audit, examination,  
14 investigation, or inspection.

15           (e) A recipient of any working papers, recorded information,  
16 documents, materials, and copies produced by, obtained by, or disclosed by  
17 the staff of the department or board under subsections (c) and (d) of this  
18 section other than the staff of the department shall agree in writing to  
19 treat the information as confidential as required by this section.

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