

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 546

5 By: Senators Hester, Gilmore
6 By: Representative Beaty Jr.
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING MAIL SENT TO A
10 STATE INMATE; TO REQUIRE CERTAIN REDACTIONS FROM A
11 CLIENT FILE MAILED TO A STATE INMATE; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 TO AMEND THE LAW CONCERNING MAIL SENT TO
16 A STATE INMATE; AND TO REQUIRE CERTAIN
17 REDACTIONS FROM A CLIENT FILE MAILED TO A
18 STATE INMATE.
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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 § 12-29-106, concerning mail to or from
25 inmates, is amended to add an additional subsection to read as follows:

26 (c)(1) As used in this subsection:

27 (A)(i) "Personal identifiable information" means
28 information that could reasonably be used to contact or locate an individual,
29 including without limitation the individual's date of birth, Social Security
30 number, home address, phone number, email address, or emergency contact
31 information.

32 (ii) "Personal identifiable information" does not
33 include an individual's name;

34 (B) "Privileged mail" means the original or a copy of any
35 legal mail or any information regarding the representation of an inmate by an
36 attorney that is sent at the written request of the inmate to his or her



1 attorney; and

2 (C) "Victim" means the same as defined in § 16-90-1101.

3 (2) An attorney representing an inmate incarcerated in a
4 facility owned or operated by the Department of Corrections, a county jail or
5 private prison facility pursuant to a contract with the department, or
6 another facility pursuant to an interstate compact contract with the
7 department shall redact all personal identifiable information linked to a
8 victim, a witness, and any correctional employee from the client file before
9 sending the client file to the inmate.

10 (3) An attorney sending privileged mail shall send an affidavit
11 clearly addressed to the staff of the correctional facility certifying that
12 the attorney has redacted all personal identifiable information as required
13 under subdivision (c)(2) of this section.