State of Arkansas

88th General Assembly

Regular Session, 2011

As Engrossed: H2/14/11

A Bill

HOUSE BILL 1316

By: Representative Catlett

For An Act To Be Entitled

AN ACT TO ALLOW THE ARKANSAS DEPARTMENT OF HEALTH TO UTILIZE RADIO ENCRYPTION TO PROTECT CONFIDENTIAL PATIENT DATA; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO ALLOW THE ARKANSAS DEPARTMENT OF HEALTH TO UTILIZE RADIO ENCRYPTION TO PROTECT CONFIDENTIAL PATIENT DATA.

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

SECTION 1. Arkansas Code § 5-54-130 is amended to read as follows:

5-54-130. Radio voice privacy adapters.

(a) It is unlawful for any person other than a law enforcement officer or law enforcement agency, or a fire department, the Department of Health, or an employee of a law enforcement agency or a fire department, or the Department of Health to own or operate or possess any radio equipment described as a voice privacy adapter or any other device capable of receiving and decoding police department, and fire department, or Department of Health communications that have been transmitted through a voice privacy adapter.

(b) The provisions of this section do not apply to any police department or agency, or any other agency having law enforcement responsibility, or a fire department of any political subdivision of this state, or to the Department of Health.

(c) Any person who violates any provision of this section is guilty of a violation and upon conviction shall be punished by a fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500).
(d) As used in this section, "person" means any person, firm, corporation, association, club, copartnership, society, or any other organization.

/s/Catlett

APPROVED: 03/04/2011