

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

As Engrossed: H4/7/21

# A Bill

HOUSE BILL 1749

5 By: Representative Bentley  
6 By: Senator G. Stubblefield  
7

## For An Act To Be Entitled

9 AN ACT TO PROHIBIT REQUIRING PUBLIC SCHOOL AND STATE-  
10 SUPPORTED INSTITUTION OF HIGHER EDUCATION EMPLOYEES  
11 FROM ADDRESSING A STUDENT BY A PRONOUN, TITLE, OR  
12 OTHER WORD THAT IS USED TO IDENTIFY THE STUDENT AS  
13 MALE OR FEMALE AND THAT IS INCONSISTENT WITH THE  
14 STUDENT'S BIOLOGICAL SEX; AND FOR OTHER PURPOSES.  
15  
16

## Subtitle

17 TO PROHIBIT REQUIRING PUBLIC SCHOOL AND  
18 INSTITUTION OF HIGHER EDUCATION EMPLOYEES  
19 FROM ADDRESSING A STUDENT BY A TERM THAT  
20 IDENTIFIES A STUDENT AS MALE OR FEMALE  
21 AND THAT IS INCONSISTENT WITH THE  
22 STUDENT'S BIOLOGICAL SEX.  
23  
24  
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
27

28 SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 1, is amended  
29 to add an additional section to read as follows:

30 6-18-113. Identification of students.

31 (a) An employee of a public school shall not be required to use a  
32 pronoun, title, or other word to identify a public school student as male or  
33 female that is inconsistent with the public school student's biological sex.

34 (b) An employee of a public school who faces adverse action as a  
35 result of a violation of subsection (a) of this section may bring a claim and  
36 shall be eligible for remedies afforded under § 16-123-105 of the Arkansas



1 Civil Rights Act of 1993, § 16-123-101 et seq.

2  
3 SECTION 2. Arkansas Code Title 6, Chapter 63, Subchapter 1, is amended  
4 to add an additional section to read as follows:

5 6-63-105. Identification of students.

6 (a) An employee of a state-supported institution of higher education  
7 shall not be required to use a pronoun, title, or other word to identify a  
8 student of the state-supported institution of higher education as male or  
9 female that is inconsistent with the state-supported institution of higher  
10 education student's biological sex.

11 (b) An employee of a state-supported institution of higher education  
12 who faces adverse action as a result of a violation of subsection (a) of this  
13 section may bring a claim and shall be eligible for remedies afforded under §  
14 16-123-105 of the Arkansas Civil Rights Act of 1993, § 16-123-101 et seq.

15  
16 /s/Bentley  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36