

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

A Bill

HOUSE BILL 1502

5 By: Representative C. Fite
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For An Act To Be Entitled

8 AN ACT TO REQUIRE THAT CLEAR FACE MASK COVERINGS BE
9 WORN BY CERTAIN PERSONS IF INTERACTING WITH AN
10 INDIVIDUAL WHO IS DEAF OR HARD OF HEARING DURING
11 CERTAIN DISASTER EMERGENCIES; AND FOR OTHER PURPOSES.
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Subtitle

15 TO REQUIRE THAT CLEAR FACE MASK COVERINGS
16 BE WORN BY CERTAIN PERSONS IF INTERACTING
17 WITH AN INDIVIDUAL WHO IS DEAF OR HARD OF
18 HEARING DURING CERTAIN DISASTER
19 EMERGENCIES.
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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 Title 12, Chapter 75, Subchapter 1, is
25 amended to add an additional section to read as follows:

26 12-75-134. Requirements for interacting with individuals who are Deaf,
27 deaf, or hard of hearing.

28 (a)(1) During a disaster emergency under this chapter in which a
29 requirement exists that citizens wear a face covering over nose and mouth, a
30 person, who in the course of employment, rendering of professional services,
31 or volunteering under subsection (b) of this section encounters and interacts
32 with an individual who is Deaf, deaf, or hard of hearing, shall wear upon
33 request a clear face covering, a partially clear face covering, a face
34 shield, or briefly remove the face covering or face shield if no other means
35 of reasonable accommodation are available.

36 (2) As used in subdivision (a)(1) of this section, "reasonable



1 accommodation" includes without limitation:

- 2 (A) Text messaging;
- 3 (B) Typed messages on available electronic devices;
- 4 (C) Whiteboard use;
- 5 (D) Handwritten notes; and
- 6 (E) Any other medium acceptable to the individual who is

7 Deaf, deaf, or hard of hearing.

8 (b) A person is subject to subdivision (a)(1) of this section if the
9 person is employed, renders professional services, or volunteers:

- 10 (1) At a hospital;
- 11 (2) At a health care center;
- 12 (3) At a pharmacy;
- 13 (4) For a law enforcement agency;
- 14 (5) For an emergency medical service provider;
- 15 (6) In a firefighting capacity;
- 16 (7) At an institution of education or higher education;
- 17 (8) In a speech-language-pathology, or audiology capacity; or
- 18 (9) In a sign-language-interpreting or sign-translating

19 capacity.

20 (c) A person who is subject to subdivision (a)(1) of this section
21 shall allow a licensed sign language interpreter to accompany the individual
22 who is Deaf, deaf, or hard of hearing.

23 (d) A complaint under the Americans with Disabilities Act or a
24 complaint with the appropriate licensing entity may be filed for a violation
25 of this section.

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28 **APPROVED: 4/13/21**