1 State of Arkansas **A BillACT 469 OF 1991** 2 **78th General Assembly** SENATE BILL 197 3 Regular Session, 1991 **By: Senator Dowd** 4 5 6 7 For An Act To Be Entitled 8 "AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE 9 RELATIVE TO PRIVILEGED COMMUNICATIONS BETWEEN HEARING-10 11 IMPAIRED AND NON-ENGLISH SPEAKING PERSONS AND INTERPRETERS; AND FOR OTHER PURPOSES." 12 13 14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 15 16 SECTION 1. Arkansas Code Annotated §16-64-112(q) is amended to read as 17 follows: "(g) Any and all information that the interpreter gathers, learns from, 18 19 or relays to the deaf person or person who is unable to communicate in English 20 pertaining to any administrative, civil, or criminal proceeding shall at all 21 times remain confidential and privileged, on an equal basis with the attorney-22 client privilege, unless such deaf person or person who is unable to 23 communicate in English desires that such information be communicated to other 24 persons." 25 SECTION 2. Arkansas Code Annotated §16-89-105(i) is amended to read as 26 27 follows: "(i) Any and all information that the interpreter gathers, learns from, 28 29 or relays to the deaf person or person who is unable to communicate in English 30 pertaining to any administrative, civil or criminal proceeding shall at all 31 times remain confidential and privileged, on an equal basis with the attorney-32 client privilege, unless such deaf person or person who is unable to 33 communicate in English desires that such information be communicated to other 34 persons." 35 36 SECTION 3. Arkansas Code Annotated §25-15-102(g) is amended to read as

SB 197

```
1 follows:
```

2 "(g) Any and all information that the interpreter gathers, learns from, 3 or relays to the deaf person or person who is unable to communicate in English 4 pertaining to any administrative, civil, or criminal proceeding shall at all 5 times remain confidential and privileged, on an equal basis with the attorney-6 client privilege, unless such deaf person or person who is unable to 7 communicate in English desires that such information be communicated to other 8 persons."

```
9
```

10 SECTION 4. All provisions of this act of a general and permanent nature 11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code 12 Revision Commission shall incorporate the same in the Code.

13

SECTION 5. If any provision of this act or the application thereof to ny person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

19

20 SECTION 6. All laws and parts of laws in conflict with this act are 21 hereby repealed.

22

SECTION 7. Emergency. It is hereby found and determined by the General Assembly that there is an immediate need to protect the confidentiality of privileged communications between qualified interpreters for deaf and hearingimpaired persons occurring at administrative, civil and criminal proceeding and that this act is immediately necessary. Therefore, an emergency is hereby declared to exist, and this act being immediately necessary for the preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

32 /s/Dowd 33 34 35

1	APPROVED: 3-12-91
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23 24	
25 26	
27	
28	
29	
30	
31	
32	
33	
34	
35	