

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 206

5 By: Senator Files
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For An Act To Be Entitled

8 AN ACT TO REQUIRE STATE AGENCIES TO REVIEW
9 ADMINISTRATIVE RULES TO ENSURE THE USE OF RESPECTFUL
10 LANGUAGE REGARDING DISABILITIES; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 TO REQUIRE STATE AGENCIES TO REVIEW
15 ADMINISTRATIVE RULES TO ENSURE THE USE OF
16 RESPECTFUL LANGUAGE REGARDING
17 DISABILITIES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 1-2-124 is amended to read as follows:
24 1-2-124. Respectful language – Disabilities.

25 (a)(1) The General Assembly recognizes that language used in reference
26 to individuals with disabilities shapes and reflects society's attitudes
27 toward people with disabilities. Many of the terms currently used demean the
28 humanity and natural condition of having a disability. Certain terms are
29 demeaning and create an invisible barrier to inclusion as equal community
30 members.

31 (2) The General Assembly finds it necessary to clarify preferred
32 language for new and revised laws by requiring the use of terminology that
33 puts the person before the disability.

34 (b)(1) In any bill or resolution, the Bureau of Legislative Research
35 shall avoid all references to:

36 (A) "Disabled";



- 1 (B) "Developmentally disabled";
- 2 (C) "Mentally disabled";
- 3 (D) "Mentally ill";
- 4 (E) "Mentally retarded";
- 5 (F) "Handicapped";
- 6 (G) "Cripple"; and
- 7 (H) "Crippled".

8 (2) The Arkansas Code Revision Commission shall change such
 9 references in any existing statute or resolution as sections including these
 10 references are republished or otherwise amended by law.

11 (3) The Bureau of Legislative Research and the commission shall
 12 replace the inappropriate terms in subdivision (b)(1) of this section with
 13 the following terms:

- 14 (A) "Individuals with disabilities";
- 15 (B) "Individuals with developmental disabilities";
- 16 (C) "Individuals with mental illness"; and
- 17 (D) "Individuals with intellectual disabilities".

18 (c)(1) In any administrative rule, a state agency shall avoid the
 19 inappropriate terms in subdivision (b)(1) of this section and shall use the
 20 terms in subdivision (b)(3) of this section.

21 (2) Each state agency shall review its rules for uses of the
 22 inappropriate terms in subdivision (b)(1) of this section.

23 (3) If a state agency identifies a use of an inappropriate term
 24 under subdivision (b)(1) of this section in a rule, it shall promulgate a
 25 revision to the rule to replace the inappropriate term with a term under
 26 subdivision (b)(3) of this section.

27 (4) Each state agency shall complete the review under
 28 subdivision (c)(2) of this section by January 1, 2012.

29 (5) As used in subsection (c) of this section, "state agency"
 30 means any office, board, commission, department, council, bureau, or other
 31 agency of state government having authority by statute enacted by the General
 32 Assembly to promulgate or enforce administrative rules.

33 ~~(e)~~(d) A statute, ~~or~~ resolution, or rule is not invalid because it
 34 does not comply with this section.

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