

Hall of the House of Representatives
88th General Assembly - Regular Session, 2011
Amendment Form

Subtitle of House Bill No. 1352
TO AMEND THE CIVIL RIGHTS ACT OF 1993.

Amendment No. 1 to House Bill No. 1352

Amend House Bill No. 1352 as originally introduced:

Page 2, delete line 8 and substitute "(6) "Entity" means a business, governmental, or nonprofit organization;
~~(6)~~(7) "National origin" includes ancestry;"

AND

Page 2, line 9 delete "(7)" and substitute "(8)"

AND

Page 2, line 10 delete "~~(7)~~(8)" and substitute "~~(7)~~(9)"

AND

Page 2, line 22 delete "~~(8)~~(9)" and substitute "~~(8)~~(10)"

AND

Page 2, line 31 delete "business" and substitute "covered"

AND

Page 2, line 32 delete "business" and substitute "covered"

AND

Page 2, line 33 delete "business" and substitute "covered"

AND

Page 2, line 35 delete "business entity" and substitute "covered entity and was a decision maker in the employment action being challenged"

AND

Page 2, line 36 delete "corporate" and substitute "covered"

AND



Page 3, line 2 delete "business entity" and substitute "covered entity and was a decision maker in the employment action being challenged"

AND

Page 3, delete line 4 and substitute:

"SECTION 3. Arkansas Code § 16-123-105 is amended to read as follows
16-123-105. Civil rights offenses.

(a) Every person who, under color of any statute, ordinance, regulation, custom, or usage of this state or any of its political subdivisions subjects, or causes to be subjected, any person or entity within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Arkansas Constitution shall be liable to the party injured in an action in circuit court for legal and equitable relief or other proper redress.

(b) In the discretion of the court, a party held liable under this section shall ~~also~~ pay the injured party's cost of litigation and a reasonable attorney's fee in an amount to be fixed by the court.

(c) When construing this section, a court may look for guidance to state and federal decisions interpreting the federal Civil Rights Act of 1871, as amended and codified in 42 U.S.C. § 1983, as in effect on January 1, 1993, which decisions and act shall have persuasive authority only.

SECTION 4. Arkansas Code § 16-123-107 is amended to read as follows:"

AND

Renumber the sections accordingly

The Amendment was read _____
By: Representative Tyler
BPG/BPG - 03/07/11 09:04
BPG336

Chief Clerk