

ARKANSAS SENATE
95th General Assembly - Regular Session, 2025
Amendment Form

Subtitle of Senate Bill 486

CONCERNING SAFETY AND PRIVACY IN CERTAIN ENTITIES; AND CONCERNING
THE DESIGNATION OF MULTI-OCCUPANCY RESTROOMS, CHANGING ROOMS, AND
SLEEPING QUARTERS IN CERTAIN ENTITIES BASED ON AN INDIVIDUAL'S SEX.

Amendment No. 1 to Senate Bill 486

Amend Senate Bill 486 as originally introduced:

Page 1, line 27, delete "sex, male, and female" and substitute "sex,
male", and female"

AND

Page 1, line 35, delete "Safety and Privacy in Shelters" and substitute
"Safety and privacy in shelters"

AND

Page 3, line 26, delete "the date of" and substitute "the date"

AND

Page 3, line 26, delete "the cause of action." and substitute "the cause of
action arises."

AND

Page 3, line 33, delete "Safety and Privacy in State Correctional Facilities"
and substitute "Safety and privacy in state correctional facilities"



AND

Page 5, delete line 29

AND

Page 5, delete line 32, and substitute the following:

"for exclusive use by the opposite sex; or

(4) Assigning a transgender or intersex inmate in a housing or programming assignment on a case-by-case basis to ensure the health and safety of the inmate under 28 C.F.R. § 115.42, as it existed on January 1, 2025."

AND

Page 5, line 35, delete "damages and"

AND

Page 6, line 8, delete "damages and"

AND

Page 6, delete lines 10 through 15, and substitute the following:

"(i)(1) The Arkansas State Claims Commission shall have jurisdiction under § 19-10-201 et seq. over all claims made under subsection (g) or subsection (h) of this section for damages otherwise barred by the doctrine of sovereign immunity.

(2) A claim made under subdivision (i)(1) of this section shall be filed within two (2) years of the date the cause of action arises.

(j)(1) A civil action brought under subsection (g) or subsection (h) of this section shall be commenced within two (2) years of the date the cause of action arises.

(2)(A) A person who substantially prevails in an action brought under subsection (g) or subsection (h) of this section may file a claim with

the commission to recover reasonable attorney's fees and other litigation expenses reasonably incurred under § 19-10-204.

(B) A claim for reasonable attorney's fees and other litigation expenses reasonably incurred under subdivision (j)(2)(A) of this section shall be filed with the commission within sixty (60) days of the final disposition of the action."

AND

Page 6, line 19, delete "Safety and Privacy in Local Correctional Facilities" and substitute "Safety and privacy in local correctional facilities"

AND

Page 8, delete line 15

AND

Page 8, delete line 18, and substitute the following:

"for exclusive use by the opposite sex; or

(4) Assigning a transgender or intersex inmate in a housing or programming assignment on a case-by-case basis to ensure the health and safety of the inmate under 28 C.F.R. § 115.42, as it existed on January 1, 2025."

AND

Page 8, line 33, delete "the date of" and substitute "the date"

AND

Page 8, line 34, delete "the cause of action." and substitute "the cause of action arises."

AND

Page 11, line 17, delete "damages" and substitute "damages, if the governmental entity is a political subdivision of the state"

AND

Page 11, line 27, delete "damages" and substitute "damages, if the governmental entity is a political subdivision of the state"

AND

Page 11, delete lines 30 through 35, and substitute the following:

"(c)(1) The Arkansas State Claims Commission shall have jurisdiction under § 19-10-201 et seq. over all claims made under subsection (a) or subsection (b) of this section for damages otherwise barred by the doctrine of sovereign immunity.

(2) A claim made under subdivision (c)(1) of this section shall be filed within two (2) years of the date the cause of action arises.

(d)(1) A civil action brought under subsection (a) or subsection (b) of this section shall be commenced within two (2) years of the date the cause of action arises.

(2)(A) A person who substantially prevails in an action brought under subsection (a) or subsection (b) of this section may file a claim with the commission to recover reasonable attorney's fees and other litigation expenses reasonably incurred under § 19-10-204.

(B) A claim for reasonable attorney's fees and other litigation expenses reasonably incurred under subdivision (d)(2)(A) of this section shall be filed with the commission within sixty (60) days of the final disposition of the action."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator B. Johnson

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Secretary