

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 1121

4
5 By: Senator Steele
6
7

For An Act To Be Entitled

8
9 AN ACT TO REQUIRE THAT PERSONS WITH DISABILITIES
10 SHALL BE ACTIVELY INVOLVED IN ALL STATE ENTITIES
11 THAT DEAL WITH DISABLED PERSONS AND ALL ENTITIES
12 THAT CONTRACT WITH THE STATE TO PROVIDE SERVICES
13 TO DISABLED PERSONS; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT TO ALLOW DISABLED PERSONS ACTIVE
17 PARTICIPATION IN THE STATE OPERATIONS
18 THAT AFFECT THEM.
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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 Title 25, is amended to add an additional
24 chapter to read as follows:

25 25-37-101. Title.

26 This chapter shall be known and may be cited as the "Persons with
27 Disabilities on State Agency Boards Act".
28

29 25-37-102. Legislative findings.

30 The General Assembly recognizes that:

31 (1) Many persons with disabilities and their families receive
32 some level of support and services that are funded or administered by the
33 state;

34 (2) Support and services are provided to persons with
35 disabilities or their families, if appropriate, through arrangements with
36 local community-based vendors, organizations, or agencies;



1 (3) Persons with disabilities who receive the services and
 2 support, directly or indirectly, are often not consulted for their
 3 perspectives, nor are their viewpoints sought regarding the efficiency,
 4 strengths, or weaknesses of the services and support;

5 (4) Seldom are persons with disabilities or their families
 6 involved in the development of standards that directly affect the quality of
 7 the services and support that they receive;

8 (5) Persons with disabilities and their families have a
 9 significant contribution to make in the decision-making processes that shape
 10 the support and services they receive through state government;

11 (6) Persons with disabilities and their families should be
 12 provided with meaningful opportunities to contribute their perspectives
 13 through their experiences concerning issues relating to services, support,
 14 and standards that ultimately affect them;

15 (7) Services and support should be responsive and sensitive to
 16 the cultural, racial, age, language, and gender characteristics of persons
 17 with disabilities and their families; and

18 (8) It is meaningful for persons with disabilities and their
 19 families to have the opportunity to contribute their perspectives and they
 20 should be provided adequate information in a manner that facilitates and
 21 allows for participation.

22
 23 25-37-103. Definitions.

24 As used in this chapter:

25 (1) "Department" means the Department of Human Services; and

26 (2) "Disability" means a physical or mental characteristic resulting
 27 from disease, injury, congenital condition of birth, or functional disorder,
 28 the history of such a characteristic, or the perception of such a
 29 characteristic, when the characteristic results in substantial functional
 30 limitations in three (3) or more of the following areas of major life
 31 activity:

32 (A) Self care;

33 (B) Fine motor skills;

34 (C) Mobility;

35 (D) Vision;

36 (E) Respiration;

- 1 (F) Learning;
- 2 (G) Work;
- 3 (H) Receptive and expressive language, that is, hearing
- 4 and speaking;
- 5 (I) Self direction;
- 6 (J) Capacity for independent living; and
- 7 (K) Economic sufficiency.

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9 25-37-104. Membership on boards.

10 To ensure opportunities for participation by persons with disabilities

11 and their families in the development of policies, support, and services that

12 affect them, twenty percent (20%) of the membership of each of the following,

13 at least one (1) of the twenty percent (20%) being a person with one (1) or

14 more disabilities, if possible, shall be persons with one (1) or more

15 disabilities or members of their families who receive the services and

16 support:

17 (1) Every advisory board, committee, commission, task force, or

18 ad hoc committee that deals with disabilities through the Department of Human

19 Services;

20 (2)(A) Local community-based agency governing boards that

21 receive funds from the department to provide services and support to persons

22 with disabilities and their families.

23 (B) The department shall promulgate rules to limit

24 reimbursements and the assignment of new clients to boards that fail to meet

25 the membership requirements of this section;

26 (3) Legislative commissions, boards, and assemblies whose

27 purpose is to serve an advisory function concerning services to persons with

28 disabilities; and

29 (4) Any advisory committee, board, or commission whose mission

30 or purpose is to establish eligibility criteria for services and support for

31 persons with disabilities or to develop standards that govern the services

32 and support funded or administered by the department.

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34 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the

35 General Assembly of the State of Arkansas that persons with disabilities and

36 their families should be provided with meaningful opportunities to contribute

1 their perspectives through their experiences concerning issues relating to
2 services, support, and standards that ultimately affect them; that serviare
3 at risk every day that their needs and aspirations go unheard. Therefore, an
4 emergency is declared to exist and this act being immediately necessary for
5 the preservation of the public peace, health, and safety shall become
6 effective on:

7 (1) The date of its approval by the Governor;

8 (2) If the bill is neither approved nor vetoed by the Governor,
9 the expiration of the period of time during which the Governor may veto the
10 bill; or

11 (3) If the bill is vetoed by the Governor and the veto is
12 overridden, the date the last house overrides the veto.

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