

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1502

By: Representative C. Fite

For An Act To Be Entitled

AN ACT TO REQUIRE THAT CLEAR FACE MASK COVERINGS BE WORN BY CERTAIN PERSONS IF INTERACTING WITH AN INDIVIDUAL WHO IS DEAF OR HARD OF HEARING DURING CERTAIN DISASTER EMERGENCIES; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THAT CLEAR FACE MASK COVERINGS BE WORN BY CERTAIN PERSONS IF INTERACTING WITH AN INDIVIDUAL WHO IS DEAF OR HARD OF HEARING DURING CERTAIN DISASTER EMERGENCIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 12, Chapter 75, Subchapter 1, is amended to add an additional section to read as follows:

12-75-134. Requirements for interacting with individuals who are Deaf, deaf, or hard of hearing.

(a)(1) During a disaster emergency under this chapter in which a requirement exists that citizens wear a face covering over nose and mouth, a person, who in the course of employment, rendering of professional services, or volunteering under subsection (b) of this section encounters and interacts with an individual who is Deaf, deaf, or hard of hearing, shall wear upon request a clear face covering, a partially clear face covering, a face shield, or briefly remove the face covering or face shield if no other means of reasonable accommodation are available.

(2) As used in subdivision (a)(1) of this section, "reasonable



accommodation" includes without limitation:

- (A) Text messaging;
- (B) Typed messages on available electronic devices;
- (C) Whiteboard use;
- (D) Handwritten notes; and
- (E) Any other medium acceptable to the individual who is

Deaf, deaf, or hard of hearing.

(b) A person is subject to subdivision (a)(1) of this section if the person is employed, renders professional services, or volunteers:

- (1) At a hospital;
- (2) At a health care center;
- (3) At a pharmacy;
- (4) For a law enforcement agency;
- (5) For an emergency medical service provider;
- (6) In a firefighting capacity;
- (7) At an institution of education or higher education;
- (8) In a speech-language-pathology, or audiology capacity; or
- (9) In a sign-language-interpreting or sign-translating

capacity.

(c) A person who is subject to subdivision (a)(1) of this section shall allow a licensed sign language interpreter to accompany the individual who is Deaf, deaf, or hard of hearing.

(d) A complaint under the Americans with Disabilities Act or a complaint with the appropriate licensing entity may be filed for a violation of this section.

APPROVED: 4/13/21