

Stricken language would be deleted from and underlined language would be added to present law.
Act 747 of the Regular Session

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S4/8/25

A Bill

SENATE BILL 520

By: Senator D. Sullivan
By: Representative A. Brown

For An Act To Be Entitled

AN ACT TO PROHIBIT DIVERSITY, EQUITY, AND INCLUSION
OFFICES, OFFICERS, POLICIES, OR PRACTICES IN LOCAL
GOVERNMENT; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT DIVERSITY, EQUITY, AND
INCLUSION OFFICES, OFFICERS, POLICIES,
OR PRACTICES IN LOCAL GOVERNMENT.

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

SECTION 1. Arkansas Code Title 14, Chapter 1, Subchapter 1, is amended
to add an additional section to read as follows:

14-1-111. Diversity, equity, and inclusion offices, officers,
policies, or practices prohibited — Definitions.

(a) As used in this section:

(1) "Diversity, equity, and inclusion initiative" means:

(A) An office, division, department, or administrative
provider of a unit of local government with the purpose of:

(i) Influencing administrative, hiring, or
employment practices at the local government;

(ii) Promoting:

(a) Preferences based upon race, color, sex,
ethnicity, or national origin;

(b) Differential treatment on the basis of
race, color, sex, ethnicity, or national origin; or

(c) Political or social activism to consider



race, color, sex, ethnicity, or national origin as factors in decision-making, except when required by federal or state law; or

(iii) Any promotion described in subdivision (a)(1)(A)(ii) of this section that conflicts with state and federal antidiscrimination laws; or

(B) Any program, policy, practice, or applicant statement, described under this section that promotes an activity described in subdivision (a)(1)(A)(ii) of this section; and

(2) "Local government" means:

(A) A county;

(B) A city of the first class;

(C) A city of the second class; or

(D) An incorporated town.

(b) An officer, agent, administrator, employee, or contractor of local government shall not compel another officer, agent, administrator, employee, or contractor of the local government to personally affirm, adopt, or adhere to ideas or beliefs that:

(1) An individual should be adversely or advantageously treated on the basis of his or her race, ethnicity, sex, color, or national origin; and

(2) An individual, by virtue of his or her race, ethnicity, sex, color, or national origin, bear collective guilt or is inherently responsible for actions committed by other members of the same race, ethnicity, sex, color, or national origin.

(c)(1) Except as otherwise provided under subdivision (c)(2) of this section, an officer, agent, administrator, employee, or contractor of local government shall not adversely or advantageously treat an individual differently on the basis of race, ethnicity, sex, color, or national origin except to the extent otherwise required by federal law.

(2) An officer, agent, administrator, employee, or contractor of local government may treat an individual differently on the basis of sex if the treatment is necessary to serve an important local government objective and the treatment is substantially related to the achievement of the objective, including without limitation the use of female guards in a female facility.

(d)(1) An officer, agent, administrator, employee, or contractor of

local government, when acting in the course of his or her official duties, shall not organize, participate in, or carry out any act or communication that would violate subsection (b) of this section.

(2) The prohibition under subdivision (d)(1) of this section does not prevent an employee of local government from:

(A) Discussing the ideas and history of the concepts described in subsection (b) of this section for legitimate educational, andragogical, or pedagogical purposes consistent with this section; and

(B) Using methods of communication not in violation of this section.

(e)(1) A citizen of Arkansas that believes a violation or potential violation of this section by a local government has occurred shall notify the local government of the violation.

(2) Upon notification under subdivision (e)(1) of this section, the local government shall resolve the violation within thirty (30) days of receipt of the notice.

(3)(A) If the local government does not cease the conduct in violation of this section within thirty (30) days of receipt of the notice, a citizen of Arkansas may bring a civil action in circuit court to:

(i) Enjoin a violation of this section; and

(ii) Recover reasonable court costs and attorney's fees.

(B) If the court finds that a violation has occurred in an action brought under subdivision (e)(3)(A) of this section, the court shall award:

(i) Injunctive relief; and

(ii) Court costs and attorney's fees.

(f) A local government shall not:

(1) Establish or implement a diversity, equity, and inclusion initiative; or

(2) Require a current or prospective officer, agent, administrator, employee, or contractor of local government to submit a statement or diversity statement describing his or her views on matters related to race, ethnicity, sex, color, or national origin to be considered for the purposes of hiring, evaluating, admitting, or promoting the officer, agent, administrator, employee, or contractor of local government.

(g) This section does not prevent compliance with any state or federal civil rights laws or any agreement related to the receipt of state or federal funding.

/s/D. Sullivan

APPROVED: 4/17/25