

As Engrossed: 1/30/91, 2/6/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Dowd**

A Bill

SENATE BILL 197

For An Act To Be Entitled

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9 *"AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE*
10 *RELATIVE TO PRIVILEGED COMMUNICATIONS BETWEEN HEARING-*
11 *IMPAIRED AND NON-ENGLISH SPEAKING PERSONS AND*
12 *INTERPRETERS; AND FOR OTHER PURPOSES."*

13
14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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16 *SECTION 1. Arkansas Code Annotated §16-64-112(g) is amended to read as*
17 *follows:*

18 *"(g) Any and all information that the interpreter gathers, learns from,*
19 *or relays to the deaf person or person who is unable to communicate in English*
20 *pertaining to any administrative, civil, or criminal proceeding shall at all*
21 *times remain confidential and privileged, on an equal basis with the attorney-*
22 *client privilege, unless such deaf person or person who is unable to*
23 *communicate in English desires that such information be communicated to other*
24 *persons."*

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26 *SECTION 2. Arkansas Code Annotated §16-89-105(i) is amended to read as*
27 *follows:*

28 *"(i) Any and all information that the interpreter gathers, learns from,*
29 *or relays to the deaf person or person who is unable to communicate in English*
30 *pertaining to any administrative, civil or criminal proceeding shall at all*
31 *times remain confidential and privileged, on an equal basis with the attorney-*
32 *client privilege, unless such deaf person or person who is unable to*
33 *communicate in English desires that such information be communicated to other*
34 *persons."*

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1 SECTION 3. Arkansas Code Annotated §25-15-102(g) is amended to read as
2 follows:

3 "(g) Any and all information that the interpreter gathers, learns from,
4 or relays to the deaf person or person who is unable to communicate in English
5 pertaining to any administrative, civil, or criminal proceeding shall at all
6 times remain confidential and privileged, on an equal basis with the attorney-
7 client privilege, unless such deaf person or person who is unable to
8 communicate in English desires that such information be communicated to other
9 persons."

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11 SECTION 4. All provisions of this act of a general and permanent nature
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
13 Revision Commission shall incorporate the same in the Code.

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15 SECTION 5. If any provision of this act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 act are declared to be severable.

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21 SECTION 6. All laws and parts of laws in conflict with this act are
22 hereby repealed.

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24 SECTION 7. Emergency. It is hereby found and determined by the General
25 Assembly that there is an immediate need to protect the confidentiality of
26 privileged communications between qualified interpreters for deaf and hearing-
27 impaired persons occurring at administrative, civil and criminal proceeding
28 and that this act is immediately necessary. Therefore, an emergency is hereby
29 declared to exist, and this act being immediately necessary for the
30 preservation of the public peace, health and safety, shall be in full force
31 and effect from and after its passage and approval.

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/s/Dowd

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