

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 2121

By: Representative Womack

## For An Act To Be Entitled

AN ACT CONCERNING A CITIZEN'S RIGHT TO OBSERVE AND  
RECORD PUBLIC EVENTS; AND FOR OTHER PURPOSES.

### Subtitle

CONCERNING A CITIZEN'S RIGHT TO OBSERVE  
AND RECORD PUBLIC EVENTS.

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

SECTION 1. Arkansas Code § 21-1-106(c), concerning public officers' and employees' waiver of sovereign immunity for violation of an individual's right to record public events, is amended to read as follows:

(c)(1) A violation of this section constitutes a waiving of the sovereign immunity of the state.

(2) A public officer or employee who violates this section ~~may only be~~ and is sued in his or her ~~official~~ personal capacity shall be defended by the state, and the state shall bear any liability.

(3) A court construing this section shall do so consistently with ~~official-capacity~~ claims under the First Amendment to the United States Constitution filed through 42 U.S.C. § 1983 and the Arkansas Civil Rights Act of 1993, § 16-123-101 et seq.

(4) Punitive damages are not provided under this section.

(5) When a party sues for relief under this section or any other applicable law, the party shall only receive a single remedy for a single injury.

