

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

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H4/7/21  
**A Bill**

HOUSE BILL 1749

By: Representative Bentley  
By: Senator G. Stubblefield

### **For An Act To Be Entitled**

*AN ACT TO PROHIBIT REQUIRING PUBLIC SCHOOL AND STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION EMPLOYEES FROM ADDRESSING A STUDENT BY A PRONOUN, TITLE, OR OTHER WORD THAT IS USED TO IDENTIFY THE STUDENT AS MALE OR FEMALE AND THAT IS INCONSISTENT WITH THE STUDENT'S BIOLOGICAL SEX; AND FOR OTHER PURPOSES.*

### **Subtitle**

*TO PROHIBIT REQUIRING PUBLIC SCHOOL AND INSTITUTION OF HIGHER EDUCATION EMPLOYEES FROM ADDRESSING A STUDENT BY A TERM THAT IDENTIFIES A STUDENT AS MALE OR FEMALE AND THAT IS INCONSISTENT WITH THE STUDENT'S BIOLOGICAL SEX.*

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

SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 1, is amended to add an additional section to read as follows:

6-18-113. Identification of students.

(a) An employee of a public school shall not be required to use a pronoun, title, or other word to identify a public school student as male or female that is inconsistent with the public school student's biological sex.

(b) An employee of a public school who faces adverse action as a result of a violation of subsection (a) of this section may bring a claim and shall be eligible for remedies afforded under § 16-123-105 of the Arkansas



Civil Rights Act of 1993, § 16-123-101 et seq.

SECTION 2. Arkansas Code Title 6, Chapter 63, Subchapter 1, is amended to add an additional section to read as follows:

6-63-105. Identification of students.

(a) An employee of a state-supported institution of higher education shall not be required to use a pronoun, title, or other word to identify a student of the state-supported institution of higher education as male or female that is inconsistent with the state-supported institution of higher education student's biological sex.

(b) An employee of a state-supported institution of higher education who faces adverse action as a result of a violation of subsection (a) of this section may bring a claim and shall be eligible for remedies afforded under § 16-123-105 of the Arkansas Civil Rights Act of 1993, § 16-123-101 et seq.

/s/Bentley