

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

SENATE BILL 520

5 By: Senator D. Sullivan
6 By: Representative A. Brown
7

For An Act To Be Entitled

9 AN ACT TO PROHIBIT DIVERSITY, EQUITY, AND INCLUSION
10 OFFICES, OFFICERS, POLICIES, OR PRACTICES IN LOCAL
11 GOVERNMENT; AND FOR OTHER PURPOSES.
12
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Subtitle

15 TO PROHIBIT DIVERSITY, EQUITY, AND
16 INCLUSION OFFICES, OFFICERS, POLICIES,
17 OR PRACTICES IN LOCAL GOVERNMENT.
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 14, Chapter 1, Subchapter 1, is amended
22 to add an additional section to read as follows:

23 14-1-111. Diversity, equity, and inclusion offices, officers,
24 policies, or practices prohibited — Definitions.

25 (a) As used in this section:

26 (1) “Diversity, equity, and inclusion initiative” means:

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

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

31 (ii) Promoting:

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

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

36 (c) Political or social activism to consider



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

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

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

9 (2) "Local government" means:

10 (A) A county;

11 (B) A city of the first class;

12 (C) A city of the second class; or

13 (D) An incorporated town.

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

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

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

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

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

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

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

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

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

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

11 (e)(1)(A) Any person may notify the Attorney General of a violation or
 12 potential violation of this section by a local government.

13 (B) Upon notification under subdivision (e)(1)(A) of this
 14 section, the Attorney General shall issue a notice to the local government
 15 compelling the local government to comply with this section.

16 (C) A local government in violation of this section shall
 17 resolve the violation within thirty (30) days of receipt of notice by the
 18 Attorney General under subdivision (e)(1)(B) of this section.

19 (2)(A) If the local government does not cease the conduct in
 20 violation of this section within thirty (30) days, the Attorney General may
 21 bring a civil action in circuit court to:

22 (i) Enjoin a violation of this section; and

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

25 (B) If the court finds that a violation has occurred in an
 26 action brought under subdivision (e)(2) of this section, the court shall
 27 award:

28 (i) Injunctive relief; and

29 (ii) Reasonable court costs and attorney's fees.

30 (f) A local government shall not:

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

33 (2) Expend any state funds and shall reject any federal funds
 34 the receipt of which requires the local government to violate this section;
 35 or

36 (3) Require a current or prospective officer, agent,

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

6 (g) This section does not prevent compliance with any state or federal
7 civil rights laws that do not depend on receipt of state or federal funding.

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