

2019 -- S 0171

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- APPROPRIATE DISABILITY
LANGUAGE

Introduced By: Senators DiPalma, Sosnowski, Seveney, Coyne, and Valverde

Date Introduced: January 24, 2019

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 22-11 of the General Laws entitled "Joint Committee on
2 Legislative Services" is hereby amended by adding thereto the following section:

3 **22-11-3.6. Revision of statutes - Appropriate disability language.**

4 [The law revision director is authorized and empowered to amend statutes to ensure](#)
5 [statutes use appropriate disability language as required by § 43-3-7.1.](#)

6 SECTION 2. Section 36-3-5 of the General Laws in Chapter 36-3 entitled "Division of
7 Personnel Administration" is hereby amended to read as follows:

8 **36-3-5. Powers and duties of the administrator.**

9 In addition to the duties imposed upon the personnel administrator elsewhere in the law
10 and the personnel rules, it shall be the duty of the personnel administrator:

11 (1) As executive head of the division of personnel administration, to direct, supervise,
12 develop, and authorize all personnel related administrative and technical activities including
13 personnel administration and personnel management.

14 (2) To prepare and recommend to the director of administration such rules as are deemed
15 necessary to carry out the provisions of the law.

16 (3) To supervise the operation of the classification plan and to recommend to the director
17 amendments and additions thereto.

18 (4) To supervise the operation of the pay plan and to recommend to the director

1 amendments and additions thereto.

2 (5) To establish and supervise the maintenance of employment lists, promotion lists, and
3 reemployment lists; to develop recruitment procedures, monitor agency recruitment processes for
4 compliance with the statutes and policies, and make available to state agencies qualified
5 candidates as vacancies occur; direct and supervise equal opportunity programs; manage
6 employee benefit plans including the coordination of health insurance, prescription/vision care,
7 group life insurance, dental care, prepaid legal services, deferred compensation and cancer
8 programs, and any other programs established by the legislature related to employee benefits; and
9 to manage career awards programs and state and local enforcement firefighters incentive training
10 programs.

11 (6) To perform any other lawful act which he or she may consider necessary or desirable
12 to carry out the purposes and provisions of this chapter, and chapter 4 of this title, and the rules
13 and to conduct innovative demonstration projects to improve state personnel management.

14 [\(7\) The personnel administrator is authorized and empowered to revise job descriptions to](#)
15 [ensure the use of appropriate disability language as required by § 43-3-7.1.](#)

16 SECTION 3. Section 43-3-7.1 of the General Laws in Chapter 43-3 entitled
17 "Construction and Effect of Statutes" is hereby amended to read as follows:

18 **43-3-7.1. Use of appropriate disability language.**

19 (a) Whenever the terms "the handicapped", "handicap person", or "handicapped person"
20 are used in the general laws, they shall be replaced with the words "persons with disabilities" or
21 "person with a disability," inclusive, and whenever the term "handicap" is used in the general
22 laws, it shall be replaced with the word "disability"; provided that this section shall not be applied
23 retroactively but shall only be applied prospectively.

24 [\(b\) Whenever the term "developmental disability" or "developmental disabilities" or](#)
25 ["mentally retarded" or "retarded" are used in the general laws, they shall be replaced with the](#)
26 [words "intellectual and developmental disability".](#)

27 [\(c\) Whenever the term "substance abuse" or "addict" are used in the general laws, they](#)
28 [shall be replaced with the words "substance use disorder".](#)

29 ~~(b)~~(d) Whenever an act, resolution, statute, regulation, guideline, directive, [job](#)
30 [description](#), or other document of a governmental entity refers to people with disabilities, terms
31 that stigmatize, like "the handicapped", "the disabled", "the blind", "the deaf", [the hearing](#)
32 [impaired](#)", "cerebral palsied", "paralytic", "epileptic", "confined to a wheelchair", "wheelchair
33 bound", "lunatic", "idiot", "defective", "deformed", "victim", "suffers from", [mentally retarded](#)",
34 [retarded](#)", [addict](#)", [substance abuser](#)", etc., shall not be used. Language that puts the "person

1 first", rather than the impairment or assistive device, such as "person with a disability", "child
2 who has mental illness", "worker who is deaf", "voter who uses a wheelchair", "[person who is](#)
3 [hard-of-hearing](#)", shall be used.

4 SECTION 4. Chapter 42-64.13 of the General Laws entitled "Rhode Island Regulatory
5 Reform Act" is hereby amended by adding thereto the following section:

6 **42-64.13-13. Revision of regulations - Appropriate disability language.**

7 [The office of regulatory reform is authorized and empowered to ensure regulations use](#)
8 [appropriate disability language as required by § 43-3-7.1.](#)

9 SECTION 5. This act shall take effect on January 1, 2020.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would ensure appropriate disability language is used in job descriptions and
2 statutes.

3 This act would take effect on January 1, 2020.

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