

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 339
SENATE BILL 1296

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY
ADDING SECTION 9-500.41; AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA
REVISED STATUTES, BY ADDING SECTION 11-269.20; AMENDING TITLE 41, CHAPTER
52, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-5202;
RELATING TO COMMUNICATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes,
3 is amended by adding section 9-500.41, to read:

4 9-500.41. Communications; accessibility; emergency response
5 interpreters

6 A. PURSUANT TO THE AMERICANS WITH DISABILITIES ACT OF 1990
7 (P.L. 101-336; 104 STAT. 327; 42 UNITED STATES CODE SECTIONS 12101 THROUGH
8 12213) AND ITS REGULATIONS, A CITY OR TOWN SHALL TAKE REASONABLE STEPS TO
9 ENSURE THAT ITS COMMUNICATIONS WITH PERSONS WITH DISABILITIES, INCLUDING
10 ONLINE COMMUNICATIONS AND EMERGENCY COMMUNICATIONS, ARE EQUALLY AS
11 EFFECTIVE AS THE CITY'S OR TOWN'S COMMUNICATIONS WITH PERSONS WITHOUT
12 DISABILITIES. THE CITY OR TOWN SHALL TAKE REASONABLE STEPS TO ENSURE THAT
13 PERSONS WITH DISABILITIES ARE ABLE TO COMMUNICATE WITH, RECEIVE
14 INFORMATION FROM AND CONVEY INFORMATION TO THE CITY OR TOWN. THE CITY OR
15 TOWN SHALL PROVIDE AUXILIARY AIDS AND SERVICES WHEN NEEDED TO COMMUNICATE
16 EFFECTIVELY WITH PERSONS WITH COMMUNICATION DISABILITIES.

17 B. A CITY OR TOWN SHALL ESTABLISH A PROTOCOL TO TAKE REASONABLE
18 STEPS TO SECURE AN INTERPRETER WHO IS LICENSED BY THE COMMISSION FOR THE
19 DEAF AND THE HARD OF HEARING PURSUANT TO TITLE 36, CHAPTER 17.1, ARTICLE
20 2, WITH PREFERENCE FOR AN INTERPRETER WHO IS CERTIFIED THROUGH THE
21 DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS' EMERGENCY RESPONSE
22 INTERPRETER CREDENTIALING PROGRAM, TO INTERPRET EMERGENCY COMMUNICATIONS
23 THAT ARE PRESENTED LIVE TO THE MEDIA FOR BROADCAST OR DELIVERED THROUGH A
24 LIVE ONLINE COMMUNICATION, INCLUDING AN OFFICIAL GOVERNMENT STATEMENT OR
25 PRESS CONFERENCE RELATING TO AN EMERGENCY SITUATION.

26 C. THIS SECTION DOES NOT PREVENT A CITY OR TOWN FROM COMMUNICATING
27 TO THE PUBLIC DURING AN EMERGENCY SITUATION IF AN INTERPRETER IS
28 UNAVAILABLE.

29 Sec. 2. Title 11, chapter 2, article 4, Arizona Revised Statutes,
30 is amended by adding section 11-269.20, to read:

31 11-269.20. Communications; accessibility; emergency response
32 interpreters

33 A. PURSUANT TO THE AMERICANS WITH DISABILITIES ACT OF 1990
34 (P.L. 101-336; 104 STAT. 327; 42 UNITED STATES CODE SECTIONS 12101 THROUGH
35 12213) AND ITS REGULATIONS, A COUNTY SHALL TAKE REASONABLE STEPS TO ENSURE
36 THAT ITS COMMUNICATIONS WITH PERSONS WITH DISABILITIES, INCLUDING ONLINE
37 COMMUNICATIONS AND EMERGENCY COMMUNICATIONS, ARE EQUALLY AS EFFECTIVE AS
38 THE COUNTY'S COMMUNICATIONS WITH PERSONS WITHOUT DISABILITIES. THE COUNTY
39 SHALL TAKE REASONABLE STEPS TO ENSURE THAT PERSONS WITH DISABILITIES ARE
40 ABLE TO COMMUNICATE WITH, RECEIVE INFORMATION FROM AND CONVEY INFORMATION
41 TO THE COUNTY. THE COUNTY SHALL PROVIDE AUXILIARY AIDS AND SERVICES WHEN
42 NEEDED TO COMMUNICATE EFFECTIVELY WITH PERSONS WITH COMMUNICATION
43 DISABILITIES.

44 B. A COUNTY SHALL ESTABLISH A PROTOCOL TO TAKE REASONABLE STEPS TO
45 SECURE AN INTERPRETER WHO IS LICENSED BY THE COMMISSION FOR THE DEAF AND

1 THE HARD OF HEARING PURSUANT TO TITLE 36, CHAPTER 17.1, ARTICLE 2, WITH
2 PREFERENCE FOR AN INTERPRETER WHO IS CERTIFIED THROUGH THE DEPARTMENT OF
3 EMERGENCY AND MILITARY AFFAIRS' EMERGENCY RESPONSE INTERPRETER
4 CREDENTIALING PROGRAM, TO INTERPRET EMERGENCY COMMUNICATIONS THAT ARE
5 PRESENTED LIVE TO THE MEDIA FOR BROADCAST OR DELIVERED THROUGH A LIVE
6 ONLINE COMMUNICATION, INCLUDING AN OFFICIAL GOVERNMENT STATEMENT OR PRESS
7 CONFERENCE RELATING TO AN EMERGENCY SITUATION.

8 C. THIS SECTION DOES NOT PREVENT A COUNTY FROM COMMUNICATING TO THE
9 PUBLIC DURING AN EMERGENCY SITUATION IF AN INTERPRETER IS UNAVAILABLE.

10 Sec. 3. Title 41, chapter 52, article 1, Arizona Revised Statutes,
11 is amended by adding section 41-5202, to read:

12 41-5202. Communications; accessibility; emergency response
13 interpreters

14 A. PURSUANT TO THE AMERICANS WITH DISABILITIES ACT OF 1990
15 (P.L. 101-336; 104 STAT. 327; 42 UNITED STATES CODE SECTIONS 12101 THROUGH
16 12213) AND ITS REGULATIONS, THIS STATE SHALL TAKE REASONABLE STEPS TO
17 ENSURE THAT ITS COMMUNICATIONS WITH PERSONS WITH DISABILITIES, INCLUDING
18 ONLINE COMMUNICATIONS AND EMERGENCY COMMUNICATIONS, ARE EQUALLY AS
19 EFFECTIVE AS THIS STATE'S COMMUNICATIONS WITH PERSONS WITHOUT
20 DISABILITIES. THIS STATE SHALL TAKE REASONABLE STEPS TO ENSURE THAT
21 PERSONS WITH DISABILITIES ARE ABLE TO COMMUNICATE WITH, RECEIVE
22 INFORMATION FROM AND CONVEY INFORMATION TO THIS STATE. THIS STATE SHALL
23 PROVIDE AUXILIARY AIDS AND SERVICES WHEN NEEDED TO COMMUNICATE EFFECTIVELY
24 WITH PERSONS WITH COMMUNICATION DISABILITIES.

25 B. THIS STATE SHALL ESTABLISH A PROTOCOL TO TAKE REASONABLE STEPS
26 TO SECURE AN INTERPRETER WHO IS LICENSED BY THE COMMISSION FOR THE DEAF
27 AND THE HARD OF HEARING PURSUANT TO TITLE 36, CHAPTER 17.1, ARTICLE 2,
28 WITH PREFERENCE FOR AN INTERPRETER WHO IS CERTIFIED THROUGH THE DEPARTMENT
29 OF EMERGENCY AND MILITARY AFFAIRS' EMERGENCY RESPONSE INTERPRETER
30 CREDENTIALING PROGRAM, TO INTERPRET EMERGENCY COMMUNICATIONS THAT ARE
31 PRESENTED LIVE TO THE MEDIA FOR BROADCAST OR DELIVERED THROUGH A LIVE
32 ONLINE COMMUNICATION, INCLUDING AN OFFICIAL GOVERNMENT STATEMENT OR PRESS
33 CONFERENCE RELATING TO AN EMERGENCY SITUATION.

34 C. THIS SECTION DOES NOT PREVENT THIS STATE FROM COMMUNICATING TO
35 THE PUBLIC DURING AN EMERGENCY SITUATION IF AN INTERPRETER IS UNAVAILABLE.

APPROVED BY THE GOVERNOR MAY 16, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2018.