

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE DRS35039-LB-59 (1/29)

Short Title: People First.

(Public)

Sponsors: Senator Dorsett.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DIRECT LEGISLATIVE DRAFTING OFFICES AND STATE AGENCIES TO  
USE CERTAIN RESPECTFUL REFERENCE TO PEOPLE WITH DISABILITIES IN  
THE PREPARATION OF LEGISLATION AND RULES.

Whereas, the General Assembly recognizes that language used in reference to  
individuals with disabilities shapes and reflects society's attitudes towards people with  
disabilities; and

Whereas, many of the terms currently used diminish the humanity and natural  
condition of having a disability; and

Whereas, certain terms are demeaning and create an invisible barrier to inclusion as  
equal community members; and

Whereas, the General Assembly finds it necessary to clarify preferred language for  
new and revised laws and rules by requiring the use of terminology that puts the person before  
the disability; Now, therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 7 of Chapter 120 of the General Statutes is amended by  
adding a new section to read:

**"§ 120-32.04. People first in drafting.**

(a) The General Assembly directs the Legislative Services Office to avoid all references  
to the terms in Column A below. Drafters shall replace the terms referenced in Column A with  
the terms listed in Column B in any new statute or resolution, and change those references in  
drafts for any existing statute as those statutes are amended for other reasons. This section does  
not apply where a reference to a word or phrase in Column A is required by federal law or  
regulation.

Column A

Handicapped

Mentally retarded

Afflicted with

Crippled

Mentally disabled

Column B

People with disabilities

Intellectual disability

Someone who has/had

Physical disability

Mental illness

(b) The Legislative Services Office is directed in drafting statutes and resolutions to  
avoid language that implies that the person as a whole is disabled (e.g., the mentally ill or the  
learning disabled), equates persons with their condition (e.g., epileptics, autistics, or  
quadriplegics), has negative overtones (e.g., afflicted with cerebral palsy, suffering from  
multiple sclerosis, confined to a wheelchair or wheelchair bound), or is regarded as derogatory



1 or demeaning (e.g., handicapped or mentally deficient), and replace nonrespectful language by  
2 referring to persons with disabilities as persons first where appropriate.

3 (c) No statute or resolution is invalid because it does not comply with this section."

4 **SECTION 2.** Part 2 of Article 2A of Chapter 150B of the General Statutes is  
5 amended by adding a new section to read:

6 "**§ 150B-21.6A. People first in drafting.**

7 (a) The General Assembly directs all agencies adopting rules to avoid all references to  
8 the terms in Column A below. Drafters shall replace the terms referenced in Column A with the  
9 terms listed in Column B in any new rule, and change those references in drafts for any existing  
10 rule as those rules are amended for other reasons. This section does not apply where a reference  
11 to a word or phrase in Column A is required by federal law or regulation or State statute.

<u>Column A</u>	<u>Column B</u>
<u>Handicapped</u>	<u>People with disabilities</u>
<u>Mentally retarded</u>	<u>Intellectual disability</u>
<u>Afflicted with</u>	<u>Someone who has/had</u>
<u>Crippled</u>	<u>Physical disability</u>
<u>Mentally disabled</u>	<u>Mental illness</u>

18 (b) Agencies are directed in drafting rules to avoid language that implies that the person  
19 as a whole is disabled (e.g., the mentally ill or the learning disabled), equates persons with their  
20 condition (e.g., epileptics, autistics or quadriplegics), has negative overtones (e.g., afflicted  
21 with cerebral palsy, suffering from multiple sclerosis, confined to a wheelchair or wheelchair  
22 bound), or is regarded as derogatory or demeaning (e.g., handicapped or mentally deficient),  
23 and replace nonrespectful language by referring to persons with disabilities as persons first  
24 where appropriate.

25 (c) No rule is invalid because it does not comply with this section."

26 **SECTION 3.** This act is effective when it becomes law.