

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

# A Bill

SENATE BILL 312

5 By: Senator Stone  
6 By: Representative Beaty Jr.  
7

## For An Act To Be Entitled

9 AN ACT TO REMOVE THE MORATORIUM ON THE CONSTRUCTION  
10 OR ADDITION OF ANY ADDITIONAL BEDS WITHIN PSYCHIATRIC  
11 RESIDENTIAL TREATMENT FACILITIES; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

16 TO REMOVE THE MORATORIUM ON THE  
17 CONSTRUCTION OR ADDITION OF ANY  
18 ADDITIONAL BEDS WITHIN PSYCHIATRIC  
19 RESIDENTIAL TREATMENT FACILITIES.  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 20-8-107(d), concerning the prohibition on  
24 adding new beds or expanding bed capacity of residential care facilities  
25 under the authority of the Health Services Permit Agency, is amended to read  
26 as follows:

27 (d)(1) Except as provided in subdivision (d)(2) of this section,  
28 ~~Beginning July 1, 2005,~~ the Health Services Permit Agency may not accept  
29 applications or requests for permits of approval to add new beds or to expand  
30 existing bed capacity of residential care facilities.

31 (2)(A) A psychiatric residential treatment facility as defined  
32 in § 9-28-402 is exempt from subdivision (d)(1) of this section and may add  
33 new beds or expand existing bed capacity.

34 (B) A cap shall not be set on the number of beds or bed  
35 capacity for psychiatric residential treatment facilities in this state.  
36



1 SECTION 2. DO NOT CODIFY. TEMPORARY LANGUAGE. Expiration of  
2 moratorium.

3 The moratorium on the construction or addition of any additional beds  
4 within psychiatric residential treatment facilities beyond the current number  
5 of permitted and licensed beds for the state on February 1, 2008, under 20  
6 CAR § 255-605, shall expire on the effective date of this section.

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36