

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

A Bill

SENATE BILL 587

5 By: Senator G. Leding
6 By: Representative Gazaway
7

For An Act To Be Entitled

8
9 AN ACT TO CREATE THE PARENTS' PEACE OF MIND ACT; TO
10 ESTABLISH AUTHORIZATION FOR AND USE OF A MONITORING
11 DEVICE IN A LONG-TERM CARE FACILITY; TO PROVIDE FOR
12 WAIVERS; TO PROVIDE FOR ENFORCEMENT AND PENALTIES;
13 AND FOR OTHER PURPOSES.
14

Subtitle

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17 TO CREATE THE PARENTS' PEACE OF MIND
18 ACT; TO ESTABLISH AUTHORIZATION FOR AND
19 USE OF A MONITORING DEVICE IN A LONG-
20 TERM CARE FACILITY; TO PROVIDE FOR
21 WAIVERS; AND TO PROVIDE FOR ENFORCEMENT
22 AND PENALTIES.
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 20, Chapter 10 is amended to add an
27 additional subchapter to read as follows:

28 Subchapter 26 – Parents' Peace of Mind Act
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30 20-10-2601. Title.

31 This subchapter shall be known and may be cited as the "Parents' Peace
32 of Mind Act".
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34 20-10-2602. Definitions.

35 As used in this subchapter:

36 (1) "Authorized electronic monitoring" means the placement of



1 electronic monitoring devices in the common areas or room of a resident of a
2 facility and the recordings from such devices under this subchapter;

3 (2) "Authorized electronic monitoring devices" means:

4 (A) Video surveillance cameras installed in the common
5 areas or room of a resident of a facility under this subchapter; or

6 (B) Audio devices installed in the room of a resident
7 under this subchapter that are designed to acquire or record communications
8 or other sounds occurring in the room;

9 (3) "Facility" means a long-term care facility that is required
10 to be licensed under § 20-10-224;

11 (4) "Representative" means the representative of a resident or
12 guardian of a resident appointed by a court; and

13 (5) "Resident" means a person who is a resident of a facility.

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15 20-10-2603. Required notice.

16 (a) A facility shall provide written notice to each resident or to his
17 or her representative that authorized electronic monitoring of a resident's
18 room conducted under this subchapter is not compulsory and shall only be
19 conducted with the written consent of the resident or his or her
20 representative.

21 (b) A facility shall not refuse to admit an individual to the facility
22 and shall not remove a resident from a facility because the individual,
23 resident, or his or her representative does not authorize electronic
24 monitoring of the resident's room.

25 (c) A facility shall post at or near its main entrances a sign that
26 clearly states that authorized electronic monitoring devices may be in use in
27 the facility.

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29 20-10-2604. Prohibition on tampering or destruction.

30 (a) A person or entity shall not purposefully obstruct, tamper with,
31 or destroy an authorized electronic monitoring device installed in a
32 facility.

33 (b) A person or entity that purposefully obstructs, tampers with, or
34 destroys a recording or an authorized electronic monitoring device installed
35 in a facility upon conviction is guilty of a Class D felony.

36 (c) A person or entity shall not intercept a communication or disclose

1 or use an intercepted communication of an authorized electronic monitoring
2 device placed or installed in a common area of a facility without the express
3 written consent of the facility, or, for an authorized electronic monitoring
4 device installed in a room of the resident, the express written consent of
5 the resident or his or her representative.

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7 20-10-2605. Authorized electronic monitoring device in private room of
8 resident.

9 (a) A resident or his or her representative may install an authorized
10 electronic monitoring device under this subchapter in his or her private room
11 at the resident's or representative's own expense.

12 (b) Notice of the authorized electronic monitoring device shall be
13 posted at the entrance of the resident's room that the room is being
14 monitored by an authorized electronic monitoring device.

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16 20-10-2606. Authorized electronic monitoring device in a shared room.

17 (a)(1) A resident of a shared room or his or her representative may
18 install an authorized electronic monitoring device under this subchapter in
19 the shared quarters only with the written consent of each roommate or his or
20 her representative.

21 (2) The written consent in subdivision (a)(1) of this section
22 shall be on a form prescribed by the Office of Long-Term Care and shall be
23 placed on file with the administrator of the facility.

24 (3) The office may include other information as deemed
25 appropriate by the office on the form described in subdivision (a)(2) of this
26 section.

27 (b) If a resident residing in a shared room or his or her
28 representative does not consent to the use or installation of an authorized
29 electronic monitoring device, the facility shall accommodate the resident or
30 the representative by moving one or more of the residents to different rooms
31 within a reasonable amount of time following a request for a room change.

32 (c) Consent may be limited in the following manner:

33 (1) That a video surveillance camera be pointed away from the
34 consenting roommate or his or her portion of the shared room; and

35 (2) That use of audio or video recordings produced by the
36 authorized electronic monitoring device that depict the voice or likeness of

1 the consenting roommate shall not be shared without further consent of the
2 consenting roommate or his or her representative.

3 (d) Consent by a roommate or his or her representative under this
4 section may be revoked at any time.

5 (e) If authorized electronic monitoring is being conducted in the room
6 of a resident, another resident may not be moved into the room unless the
7 resident or his or her representative has consented to the use of existing
8 authorized electronic monitoring.

9 (f) Notice of the authorized electronic monitoring device shall be
10 posted at the entrance of the resident's room that the shared room is being
11 monitored by an authorized electronic monitoring device.

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13 SECTION 2. DO NOT CODIFY. Authorized electronic monitoring device –
14 Compliance.

15 (a) The Office of Long-Term Care shall prepare and make available the
16 written consent forms required by this act sufficiently in advance of the
17 effective date to be accessible on the website of the office.

18 (b) A resident or his or her representative presently using an
19 electronic monitoring device before the effective date of this act shall
20 comply with all consent and disclosure requirements of this act by the
21 effective date of this act.

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23 SECTION 3. EFFECTIVE DATE.

24 This act is effective on and after November 1, 2025.
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