

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H2/11/15
A Bill

HOUSE BILL 1087

By: Representative Bell

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING SOCIAL MEDIA
ACCOUNTS OF CURRENT AND PROSPECTIVE EMPLOYEES; TO
DECLARE AN EMERGENCY; AND: FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW REGARDING SOCIAL MEDIA
ACCOUNTS OF CURRENT AND PROSPECTIVE
EMPLOYEES; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 11-2-124(a)(2), concerning definitions for social media accounts of current and prospective employees, is amended to read as follows:

(2)(A) "Employer" means a person or entity engaged in business, an industry, a profession, a trade, or other enterprise in the state or a unit of state or local government, including without limitation an agent, representative, or designee of the employer.

(B) "Employer" does not include:

(i) An entity responsible for the care and supervision of minors, including schools, daycares, summer camps, and other similar programs; or

(ii) An entity whose purpose includes the advancement of a particular religion, including a church or other similar organization with a stated purpose of promoting a particular religion or a particular set of religious beliefs; and



SECTION 2. Arkansas Code § 11-2-124(b)(1), concerning social media accounts of current and prospective employees, is amended to read as follows:

(b)(1) An employer shall not require, request, suggest, or cause a current or prospective employee to:

(A) Disclose his or her username and password to the current or prospective employee's social media account; or

~~(B) Add an employee, supervisor, or administrator to the list or contacts associated with his or her social media account; or~~

~~(C)~~(B) Change the privacy settings associated with his or her social media account.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that many employers serving vulnerable populations that depend on organized summer activities such as summer camps are already engaged in hiring summer workers; and that this act is immediately necessary to ensure that employers serving vulnerable populations complete the summer hiring process in time to fully staff programs for vulnerable populations. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Bell