

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

A Bill

HOUSE BILL 2216

4
5 By: Representatives McCollum, G. Hodges, Leding, Tucker

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE SOCIAL MEDIA
9 ACCOUNTS OF CURRENT AND PROSPECTIVE EMPLOYEES; AND
10 FOR OTHER PURPOSES.

Subtitle

14 TO AMEND THE LAW CONCERNING THE SOCIAL
15 MEDIA ACCOUNTS OF CURRENT AND PROSPECTIVE
16 EMPLOYEES.

17
18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. Arkansas Code § 11-2-124(b), concerning an employer's
22 directives regarding a current or prospective employee's social media
23 account, is amended to read as follows:

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

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

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

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

32 (2) An employer shall not require a current or prospective
33 employee to add another employee, supervisor, or administrator to the list or
34 contacts associated with his or her social media account.

35 (3) If an employer inadvertently receives an employee's
36 username, password, or other login information to the employee's social media



1 account through the use of an electronic device provided to the employee by
2 the employer or a program that monitors an employer's network, the employer
3 is not liable for having the information but may not use the information to
4 gain access to an employee's social media account.

5
6
7 **APPROVED: 04/01/2017**
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