

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1419

4  
5 By: Representative Wells  
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## For An Act To Be Entitled

9 AN ACT TO PROTECT NURSING HOME RESIDENTS FROM THE  
10 THREAT OF FIRE; TO PROHIBIT TAMPERING WITH SMOKE  
11 DETECTORS AND FIRE EXTINGUISHERS IN NURSING HOMES  
12 WHEN AN EMERGENCY HAS BEEN SOUNDED; AND FOR OTHER  
13 PURPOSES..

## Subtitle

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16 TO PROTECT NURSING HOME RESIDENTS FROM  
17 THE THREAT OF FIRE; TO PROHIBIT  
18 TAMPERING WITH SMOKE DETECTORS AND FIRE  
19 EXTINGUISHERS IN NURSING HOMES WHEN AN  
20 EMERGENCY HAS BEEN SOUNDED.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code Title 20, Chapter 10, Subchapter 1 is amended  
26 to add an additional section to read as follows:

27 20-10-112. Fire safety in nursing home.

28 (a) As used in this section:

29 (1) "Firefighter" means a member of a fire department of a city  
30 of the first class, or a city of the second class, or a town, or an  
31 unincorporated rural area of this state who actively engages in the fighting  
32 of fires on either a regular or voluntary basis; and

33 (2) "Nursing home" means an institution that is primarily  
34 engaged in providing health care and health care services on a twenty-four-  
35 hour basis to individuals who because of their mental or physical condition  
36 require health care and health care services that can be made available to



1 them only through institutional care.

2 (b) A person shall not tamper with, disable, silence, or destroy a  
3 smoke alarm device or fire alarm device located in a nursing home while the  
4 smoke alarm device or fire alarm device is sounding or otherwise indicating a  
5 smoke or fire emergency.

6 (c) If a smoke alarm device or fire alarm device sounds or otherwise  
7 indicates a smoke or fire emergency in a nursing home, only a firefighter may  
8 silence the smoke alarm device or fire alarm device.

9 (d)(1) A nursing home that pleads guilty or nolo contendere to or is  
10 found guilty of violating this section shall be punished by a fine of not  
11 more than one thousand dollars (\$1,000).

12 (2) An employee of a nursing home who pleads guilty or nolo  
13 contendere to or is found guilty of violating this section shall be punished  
14 by a fine of not more than two hundred fifty dollars (\$250).

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