

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4  
5 By: Representative Bell

As Engrossed: H2/11/15

# A Bill

HOUSE BILL 1087

## For An Act To Be Entitled

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

### Subtitle

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

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

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

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

28 (B) "Employer" does not include:

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

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



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

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

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

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

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

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

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

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

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

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28 /s/Bell  
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