

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: SB409 ER

Patron: Boysko

Bill Title: Assisted living facilities; electronic monitoring in resident rooms.

Bill Summary: Permits residents of assisted living facilities to have electronic monitoring devices placed in their rooms. The bill defines “electronic monitoring” as the use of a surveillance device with a fixed position video camera or audio recording device, or combination thereof, that is installed in a resident’s room and broadcasts or records activities or sounds occurring within the confines of the room. The bill contains several provisions establishing the requirements for the placement and utilization of any such electronic monitoring device in any resident’s room, including requirements relating to ensuring that residents or their legal representatives and residents’ roommates or their legal representatives consent to the placement and utilization of electronic monitoring devices in their rooms. The bill directs the Virginia Department of Social Services to promulgate regulations consistent with the bill, and provides that the provisions of the bill become effective when such regulations become effective.

Budget Amendment Necessary: No

Items Impacted: n/a

Fiscal Summary: Minimal/absorbable fiscal impact.

Fiscal Analysis: This legislation establishes policies and procedures for the use of electronic monitoring devices in resident rooms at assisted living facilities. The bill does not create new investigative responsibilities on the part of the Department of Social Services (DSS) as it relates to the oversight of assisted living facilities, but does require DSS to promulgate new regulations for assisted living facilities reflecting the provisions of the bill. It is expected that any cost or workload impacts associated with promulgating new regulations will be minimal and absorbable within existing resources.

Other: n/a