

Sec. 242.843. COVERT USE OF ELECTRONIC MONITORING DEVICE;
LIABILITY OF DEPARTMENT OR INSTITUTION. (a) For purposes of this subchapter,
the placement and use of an electronic monitoring device in the room of a
resident is considered to be covert if:

(1) the placement and use of the device is not open and obvious;
and

(2) the institution and the department are not informed about
the device by the resident, by a person who placed the device in the room, or
by a person who is using the device.

(b) The department and the institution may not be held to be civilly
liable in connection with the covert placement or use of an electronic monitoring
device in the room of a resident.

Added by Acts 2001, 77th Leg., ch. 1224, Sec. 1, eff. June 15, 2001.