

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 2720

"AN ACT TO AMEND THE UNFAIR PRACTICES ACT AND THE SUBCHAPTER ON
MONOPOLIES GENERALLY."

Amendment No. 1 to House Bill No. 2720.

Amend House Bill No. 2720 as originally introduced:

Page 4, delete line 34 and substitute the following:

"action shall be brought in the appropriate federal court.

4-75-217. Statute of limitations.

(a) Any action brought by the Attorney General pursuant to this subchapter is barred if it is not commenced within five (5) years after the cause of action accrues.

(b) The statute of limitations described in subsection (a) of this section shall be tolled during any period when the defendant in any action fraudulently concealed the events upon which the cause of action is based.

(c) This section is not intended to allow for the commencement of any action by the Attorney General under the provisions of this subchapter for events occurring prior to the enactment of this section, of which the Attorney General had actual knowledge.

4-75-322. Statute of limitations.

(1) Any action brought by the Attorney General pursuant to this subchapter is barred if it is not commenced within five (5) years after the cause of action accrues.

(2) The foregoing statute of limitations shall be tolled during any period when the defendant in any action fraudulently concealed the events upon which the cause of action is based.

(3) This section is not intended to allow for the commencement of any action by the Attorney General under the provisions of this subchapter for events occurring prior to the enactment of this section, of which the Attorney General had actual knowledge."

AND

Page 12, line 3, insert the following:

"SECTION 5. EMERGENCY CLAUSE. It is found and determined by the Eighty-fourth General Assembly that without the amendments herein, the



Attorney General is unable to adequately protect the interests of the consumers of the State of Arkansas under the provisions of the Unfair Trade Practices Act and the chapter on Monopolies Generally for harm they have suffered as indirect purchasers. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

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

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

The Amendment was read _____

By: Representative Napper

LDH/MHF - 031320030957

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Chief Clerk