

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Hinshaw**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 18-16-101 TO SPECIFY THE
9 PENALTIES FOR THE OFFENSE OF FAILURE TO VACATE PROPERTY
10 UPON NOTICE AS A CLASS C MISDEMEANOR; AND FOR OTHER
11 PURPOSES."

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

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15 SECTION 1. Arkansas Code 18-16-101 is hereby amended to read as
16 follows:

17 "18-16-101. Failure to pay rent - Refusal to vacate upon notice -
18 Penalty.

19 (a) Any person who shall rent any dwelling house or other building or
20 any land situated in the State of Arkansas and who shall refuse or fail to pay
21 the rent therefor when due according to contract shall at once forfeit all
22 right to longer occupy the dwelling house or other building or land.

23 (b) If, after ten (10) days' notice in writing shall have been given by
24 the landlord or his agent or attorney to the tenant to vacate the dwelling
25 house or other building or land, the tenant shall willfully refuse to vacate
26 and surrender the possession of the premises to the landlord or his agent or
27 attorney, the tenant shall be guilty of a Class C misdemeanor. Each day the
28 tenant shall willfully and unnecessarily hold the dwelling house or other
29 building or land after the expiration of notice to vacate shall constitute a
30 separate offense."

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32 SECTION 2. All provisions of this act of a general and permanent nature
33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
34 Revision Commission shall incorporate the same in the
35 Code.

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SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

