

*As Engrossed: 1/28/91*

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representative Shaver**  
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# A Bill

**HOUSE BILL 1208**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 16-58-130 TO MAKE IT  
9 COMPATIBLE WITH RULE 4 OF THE RULES OF CIVIL PROCEDURE;  
10 AND FOR OTHER PURPOSES."

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

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14 SECTION 1. Arkansas Code 16-58-130(c)&(d) are hereby amended to read as  
15 follows:

16 "(c) The court may make the warning order upon the requisite facts  
17 being satisfactorily shown by affidavit or other proof. Warning orders shall  
18 be published weekly for at least two (2) weeks. The warning order shall be  
19 published in a newspaper of general circulation in the county in which the  
20 court is held.

21 (d) A defendant against whom a warning order has been made and  
22 published, upon completion of the publication of the warning order for the two  
23 (2) weeks required by law, shall be deemed to have been constructively  
24 summoned upon the date of the making of the order."

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26 SECTION 2. All provisions of this Act of a general and permanent nature  
27 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
28 Revision Commission shall incorporate the same in the Code.

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

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1           SECTION 4. All laws and parts of laws in conflict with this Act are  
2 hereby repealed.

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*/s/J. Shaver*

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