

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

SENATE BILL 731

4
5 By: Senators Wilkinson, Salmon, Trusty, J. Bookout, Baker

For An Act To Be Entitled

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7
8 THE ARKANSAS SOLDIERS' AND AIRMEN'S CIVIL RELIEF
9 ACT.

Subtitle

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11
12 THE ARKANSAS SOLDIERS' AND AIRMEN'S
13 CIVIL RELIEF ACT.

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

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19 SECTION 1. Title. This subchapter may be referred to as the "Arkansas
20 Soldiers' and Airmen's Civil Relief Act"

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22 SECTION 2. Findings.
23 Soldiers and airmen of the Arkansas National Guard who are called into
24 active military service of the State of Arkansas are ineligible for civil
25 relief pursuant to the federal law, namely, the Soldiers and Sailors Civil
26 Relief Act, 50 Appendix United States Code Section 501 et seq, and that such
27 relief should be afforded to the soldiers and airmen when they are called
28 into extended active military service of the state of Arkansas.

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30 SECTION 3. Purpose.
31 The purpose of this act is to provide civil relief to soldiers and
32 airmen of the Arkansas National Guard who are called into extended active
33 military service of the state of Arkansas.

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35 SECTION 4. Applicability. This act and the benefits of this act shall
36 be applicable to and may be claimed by:

1 (a) A soldier, airman, or the spouse of an airman or soldier of the
2 Arkansas National Guard; and

3 (b) When the soldier or airman is ordered into active military service
4 of the State of Arkansas by the Governor pursuant to state law for a period
5 of more than one hundred and eighty (180) continuous days; or

6 (c) When the soldier or airman is ordered into active military service
7 of the state of Arkansas by the Governor pursuant to the provisions of Title
8 32, United States Code, for a period of more than one hundred and eighty
9 (180) continuous days.

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11 SECTION 5. Residential Leases.

12 (a) When a soldier or airman is ordered to active military service of
13 the State of Arkansas for more than one hundred and eighty (180) days
14 pursuant to Section 4 of this act, the soldier, airman, or the spouse of such
15 soldier or airman shall be entitled to terminate and cancel the lease for the
16 primary residence of the soldier, airman, or spouse of the soldier or airman
17 as follows:

18 (1) The airman, soldier, spouse of the soldier or airman,
19 attorney-in-fact or lawfully appointed agent shall deliver a written notice
20 to the lessor or the lessor's agent by any manner of mail, courier, or
21 personal delivery accompanied by a written receipt as evidence of delivery;
22 and

23 (2) The notice shall state:

24 (i) The beginning date, and the ending date, if known,
25 that the soldier or airman has been ordered into the military service of the
26 state;

27 (ii) The unit name, address, and telephone number of the
28 soldier's or airman's commanding officer or military superior who can verify
29 the authenticity of the orders and where the soldier, airman, or spouse may
30 be written;

31 (iii) That the soldier, airman, or spouse of the soldier
32 or airman claims the benefits of the Arkansas Soldiers' and Airmen's Civil
33 Relief Act and gives notice that his or her residential lease will be
34 terminated as provided by this act.