

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013

A Bill

HOUSE BILL 1722

4
5 By: Representatives Williams, Vines

For An Act To Be Entitled

8 AN ACT TO REPEAL CERTAIN OBSOLETE LAWS CONTAINED IN
9 TITLE 18 OF THE ARKANSAS CODE; AND FOR OTHER
10 PURPOSES.

Subtitle

14 TO REPEAL CERTAIN OBSOLETE LAWS CONTAINED
15 IN TITLE 18 OF THE ARKANSAS CODE.

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

20 SECTION 1. Arkansas Code §§ 18-27-201 through 18-27-203 are repealed.

21 ~~18-27-201. Definition.~~

22 ~~As used in this subchapter "pawnbroker" means any person, firm, or~~
23 ~~corporation, or an agent thereof, who is engaged in the business of lending~~
24 ~~money upon the security of articles of personal property and who retains~~
25 ~~possession of the articles until the loan is repaid.~~

27 ~~18-27-202. Return of stolen personal property to owner.~~

28 ~~When any pawnbroker in this state shall, in good faith or otherwise,~~
29 ~~acquire, by purchase, pawn, gift, or otherwise, any article of personal~~
30 ~~property which has been stolen from the owner thereof, the pawnbroker shall~~
31 ~~return the personal property to the true owner thereof upon his or her~~
32 ~~request and the execution of his or her affidavit of possession.~~

34 ~~18-27-203. Refusal to return property — Liability.~~

35 ~~(a) If any pawnbroker shall fail or refuse to return any property to~~
36 ~~the true owner thereof when requested to do so by him or her as provided in §~~



1 ~~18-27-202, it shall be necessary for the true owner to resort to legal action~~
2 ~~to recover the property.~~

3 ~~(b) In the event that the true owner is successful in a legal action,~~
4 ~~the defendant pawnbroker shall be required to pay all reasonable expenses~~
5 ~~incurred by the owner in recovering the property, including court costs and~~
6 ~~attorneys' fees, and any damages suffered by the true owner as a result of~~
7 ~~the pawnbroker's failing or refusing to return the property to the true owner~~
8 ~~when so requested by him or her.~~

9
10 SECTION 2. Arkansas Code § 18-60-402 is repealed.

11 ~~18-60-402. No verification required.~~

12 ~~No verification shall be required to the petition or answer.~~

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14 SECTION 3. DO NOT CODIFY. The enactment and adoption of this act
15 shall not repeal, expressly or impliedly, the acts passed at the regular
16 session of the Eighty-Ninth General Assembly. All such acts shall have full
17 force and effect, and so far as those acts intentionally vary from or
18 conflict with any provision contained in this act, those acts shall have the
19 effect of subsequent acts amending or repealing the appropriate parts of the
20 Arkansas Code of 1987.