

Act 56 of the Third Special Session of 1989.

Act 56

SB18

By: Senate Judiciary Committee

CALL ITEM 8

For An Act To Be Entitled  
"AN ACT TO AMEND ARKANSAS CODE ANNOTATED 16-60-110 TO SET  
VENUE FOR ACTIONS BROUGHT AGAINST CONFINED PERSONS; AND FOR  
OTHER PURPOSES."

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

SECTION 1. Arkansas Code Annotated 16-60-110 is amended to read as follows:

"16-60-110. Actions against person in penitentiary or asylum.

An action, other than one of those mentioned in 16-60-101 - 16-60-103, against a person confined in the penitentiary or a lunatic asylum must be brought in the county in which he resided, or claimed his residence, prior to his confinement, unless otherwise provided by law.

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

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 4. It is hereby found and determined by the General Assembly that a serious question exists regarding the venue requirements for actions brought against confined persons, particularly when that person is being confined in a facility not located within the county in which he resided or claimed his residence, and that this law is required to clear up that confusion. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: November 16, 1989

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