

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 1057 OF 1993
HOUSE BILL 2103

4 **By: Representatives Rice, Sheid and Pryor**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 4, CHAPTER 74,
9 SUBCHAPTER 1 PERTAINING TO GOING OUT OF BUSINESS SALES,
10 PROVIDING THAT SALES CONDUCTED IN VIOLATION SHALL
11 CONSTITUTE A DECEPTIVE TRADE PRACTICE ACT AS DEFINED BY
12 ARKANSAS CODE ANNOTATED 4-88-101 ET SEQ.; AND FOR OTHER
13 PURPOSES."

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Subtitle

16 "AN ACT TO PROVIDE THAT GOING OUT OF BUSINESS SALES
17 CONDUCTED IN VIOLATION OF LAW SHALL CONSTITUTE A DECEPTIVE
18 TRADE PRACTICE."

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

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22 SECTION 1. Arkansas Code Annotated 4-74-111 is amended to read as
23 follows:

24 "(a) It is unlawful for any person, firm, corporation, association, or
25 other business entity to falsely represent that the person or entity is going
26 out of business or for any person or entity to misrepresent the ownership of a
27 business for the purpose of or in connection with the conduct of a going out
28 of business sale.

29 (b) Any going out of business sale conducted in violation of this
30 chapter shall constitute an unfair or deceptive act or practice as defined by
31 the Deceptive Trade Practices Act, Arkansas Code 4-88-101 et seq. All
32 remedies, penalties, and authority granted to the Attorney General under the
33 Deceptive Trade Practices Act shall be available to the Attorney General for
34 the enforcement of this act."

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36 SECTION 2. All provisions of this act of a general and permanent

