

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Senator Dowd**

# A Bill

**ACT 589 OF 1993**  
**SENATE BILL 78**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 16-62-102 PERTAINING TO  
9 WRONGFUL DEATH ACTIONS; AND FOR OTHER PURPOSES."

### Subtitle

12 "TO AMEND ARKANSAS CODE 16-62-102 PERTAINING TO WRONGFUL  
13 DEATH ACTIONS."

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

17 SECTION 1. Arkansas Code 16-62-102(f) is amended to read as follows:

18 "(f) The jury, or the court in cases tried without a jury, may fix such  
19 damages as will be fair and just compensation for the pecuniary injuries,  
20 *including a spouse's loss of the services and companionship of a deceased*  
21 *spouse and any mental anguish resulting from the death to the surviving spouse*  
22 *and beneficiaries of the deceased person.* When mental anguish is claimed as a  
23 measure of damages under this statute, mental anguish will include grief  
24 normally associated with the loss of a loved one."

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.

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.

36 SECTION 4. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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*/s/ Senator Dowd*

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APPROVED: 03/19/93

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