

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: S3/25/97

A Bill

ACT 1128 OF 1997
HOUSE BILL 1926

5 By: Representative Rodgers
6
7

For An Act To Be Entitled

9 "AN ACT TO CLARIFY THE ARKANSAS FRANCHISE PRACTICES ACT;
10 AND FOR OTHER PURPOSES."
11

Subtitle

13 "AN ACT TO CLARIFY THE ARKANSAS
14 FRANCHISE PRACTICES ACT."
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Arkansas Code 4-72-202(1) is amended to read as follows:

19 "(1) Franchise means a written or oral agreement for a definite or
20 *indefinite period, in which* a person grants to another person a license to use
21 a trade name, trademark, service mark, or related characteristic within an
22 exclusive or nonexclusive territory, or to sell or distribute goods or
23 services within an exclusive or nonexclusive territory, at wholesale, retail,
24 by lease agreement, or otherwise. However, a franchise is not created by a
25 lease, license, or concession granted by a retailer to sell goods or furnish
26 services on or from premises which are occupied by the retailer-grantor
27 primarily for its own merchandising *activities* and a franchise is not created
28 by door-to-door sales complying with § 4-89-101, et seq.;"
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30 SECTION 2. All provisions of this act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.
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34 SECTION 3. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect
36 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 4. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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/s/Rodgers

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APPROVED: 4-05-97

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