

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

Act 310 of 1999  
SENATE BILL 60

5 By: Senators Dowd, Beebe  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO REPEAL ARKANSAS CODE ANNOTATED §§ 16-56-201  
10 THROUGH 16-56-210 THE 'UNI FORM CONFLICT OF LAWS  
11 LIMITATIONS ACT' . "

### Subtitle

13 "TO REPEAL ARKANSAS CODE ANNOTATED §§ 16-  
14 56-201 THROUGH 16-56-210 THE 'UNI FORM  
15 CONFLICT OF LAWS LIMITATIONS ACT' . "  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code Annotated §§ 16-56-201 through 16-56-210 are  
21 hereby repealed.

22 ~~16-56-201. Definitions.~~

23 ~~As used in this subchapter:~~

24 ~~(1) "Claim" means a right of action that may be asserted in a civil  
25 action or proceeding and shall include a right of action created by statute;~~

26 ~~(2) "State" means a state, commonwealth, territory, or possession of  
27 the United States, the District of Columbia, the Commonwealth of Puerto Rico,  
28 a foreign country, or a political subdivision of any of the above.~~

29  
30 ~~16-56-202. Conflict of laws - Limitation periods.~~

31 ~~(a) Except as provided by § 16-56-204, if a claim is substantially  
32 based:~~

33 ~~(1) Upon the law of one (1) other state, the limitation period of  
34 that state shall apply; or~~

35 ~~(2) Upon the law of more than one (1) state, the limitation  
36 period of one (1) of those states, chosen by the law of conflict of laws of~~

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1 ~~this state, shall apply.~~

2 ~~(b) The limitation period of this state shall apply to all other~~  
3 ~~claims.~~

4  
5 ~~16-56-203. Rules applicable to computation of limitation period.~~

6 ~~If the statute of limitations of another state applies to the assertion~~  
7 ~~of a claim in this state, the other state's relevant statutes and other rules~~  
8 ~~of law governing tolling and accrual shall apply in computing the limitation~~  
9 ~~period, but the other state's statutes and other rules of law governing~~  
10 ~~conflict of laws shall not apply.~~

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12 ~~16-56-204. Unfairness.~~

13 ~~If a court of competent jurisdiction determines that the limitation~~  
14 ~~period of another state, applicable under §§ 16-56-202 and 16-56-203, is~~  
15 ~~substantially different from the limitation period of this state and has not~~  
16 ~~afforded a fair opportunity to sue upon, or imposes an unfair burden in~~  
17 ~~defending against the claim, the limitation period of this state shall apply.~~

18  
19 ~~16-56-205. Existing and future claims.~~

20 ~~This subchapter shall apply to claims:~~

21 ~~(1) Accruing after the effective date of this subchapter; or~~

22 ~~(2) Asserted in a civil action or proceeding more than one (1) year~~  
23 ~~after the effective date of this subchapter, but shall not revive a claim~~  
24 ~~barred before the effective date of this subchapter.~~

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26 ~~16-56-206. Uniformity of application and construction.~~

27 ~~This subchapter shall be applied and construed to effectuate its general~~  
28 ~~purpose to make uniform the law with respect to the subject of this subchapter~~  
29 ~~among states enacting it.~~

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31 ~~16-56-207. Short title.~~

32 ~~This subchapter may be cited as the "Uniform Conflict of Laws~~  
33 ~~Limitations Act."~~

34  
35 ~~16-56-208. Severability.~~

36 ~~If any provision of this subchapter, or the application thereof, to any~~

1 ~~person or circumstance is held invalid, such invalidity shall not affect other~~  
2 ~~provisions or applications of the subchapter which can be given effect without~~  
3 ~~the invalid provision or application, and to this end the provisions of this~~  
4 ~~subchapter are declared to be severable.~~

5  
6 ~~16-56-209. [Reserved.]~~

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8 ~~16-56-210. Time of taking effect.~~

9 ~~This subchapter shall take effect on July 1, 1985.~~

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12 APPROVED: 2/25/1999  
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