

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

As Engrossed: S3/31/99

A Bill

Act 1466 of 1999
HOUSE BILL 1612

5 By: Representative Cook
6

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §18-44-114 TO
9 EXEMPT DIRECT SALES FROM THE MATERIALMAN' S LIENS
10 NOTICE REQUIREMENTS; AND FOR OTHER PURPOSES. "
11

Subtitle

12 "TO AMEND ARKANSAS CODE ANNOTATED §18-44-
13 114 TO EXEMPT DIRECT SALES FROM THE
14 MATERIALMAN' S LIENS NOTICE REQUIREMENTS. "
15
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code 18-44-114 is amended to read as follows:
20 "18-44-114. Notice and service generally.

21 (a) Every person, except the original contractor, who may wish to avail
22 himself of the benefit of the provisions of this subchapter shall give ten
23 (10) days' notice before the filing of the lien, as required in § 18-44-
24 117(a), to the owner, owners, or agent, or either of them, that he holds a
25 claim against the building or improvement, setting forth the amount and from
26 whom it is due. However, if the transaction is a direct sale to the property
27 owner, this notice requirement shall not apply, and the lien rights arising
28 under this subchapter shall not be conditioned on delivery and execution of
29 the notice. For purposes of this subsection, a sale shall be considered a
30 direct sale when the owner or owners orders the materials from the lien
31 claimant.

32 (b)(1) The notice may be served by any officer authorized by law to
33 serve process in civil actions, by any person who would be a competent
34 witness, or by any form of mail addressed to the person to be served with a
35 return receipt requested and delivery restricted to the addressee or the agent
36 of the addressee.

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