

Stricken language would be deleted from and underlined language would be added to the law as it existed
prior to this session of the General Assembly.
Act 316 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

SENATE BILL 906

5 By: Senator R. Thompson
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 4-86-102 TO
10 CLARIFY THE LIABILITY OF SUPPLIERS; AND FOR OTHER
11 PURPOSES.
12

Subtitle

13 AN ACT TO AMEND ARKANSAS CODE § 4-86-102
14 TO CLARIFY THE LIABILITY OF SUPPLIERS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 4-86-102 is amended to read as follows:
21 4-86-102. Liability of supplier.

22 (a) A supplier of a product is subject to liability in damages for
23 harm to a person or to property if:

24 (1) The supplier is engaged in the business of manufacturing,
25 assembling, selling, leasing, or otherwise distributing the product;

26 (2) The product was supplied by him or her in a defective
27 condition which rendered it unreasonably dangerous; and

28 (3) The defective condition was a proximate cause of the harm to
29 person or to property.

30 (b) The provisions of subsection (a) of this section apply although
31 the claiming party has not obtained the product from or entered into any
32 contractual relation with the supplier.

33 (c)(1) Any licensee under § 17-42-103(10) who is only providing
34 brokerage and sales services under his or her license shall not be considered
35 a supplier under this section.



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(2)(A) Except as provided in subdivisions (c)(2)(B) and (C) of this section, real estate and improvements located on real estate shall not be considered a product under this section.

(B) Any tangible object or good produced that is affixed to, installed on, or incorporated into real estate or any improvement on real estate shall be considered a product under this section.

(C) If environmental contaminants exist or have occurred in an improvement on real estate, the improvement on real estate shall be considered a product under this section.

APPROVED: 3/19/2007