

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 439 of the Regular Session

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

# A Bill

SENATE BILL 910

4  
5 By: Senators Wilkins, Brown, Crumbly, Steele  
6 By: Representatives Sumpter, Key, Cooper, Burris, Ragland, L. Smith

## For An Act To Be Entitled

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10 AN ACT TO PROTECT COMSUMERS BY PROHIBITING THE  
11 AUTOMATIC RENEWAL OF PROFESSIONAL HOME SECURITY  
12 SERVICES CONTRACTS; TO PROVIDE THE CONSUMER WITH  
13 THE OPTION OF MONTHLY RENEWALS TERMINABLE AT WILL  
14 WITHOUT PENALTY; TO PROVIDE THE CONSUMER WITH  
15 CONSPICUOUS NOTICE OF THE RIGHT OF TERMINATION;  
16 AND FOR OTHER PURPOSES.

## Subtitle

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19 TO PROTECT COMSUMERS BY PROHIBITING THE  
20 AUTOMATIC RENEWAL OF PROFESSIONAL HOME  
21 SECURITY SERVICES CONTRACTS.

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23  
24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 SECTION 1. Arkansas Code § 4-86-106 is amended to read as follows:

27 4-86-106. Automatic renewal of professional home security contracts  
28 prohibited.

29 (a) ~~No contract for~~ Except as provided in subsection (c) of this  
30 section, no professional home security services contract that is entered into  
31 after August 1, 2003, shall state that the term of the professional home  
32 security services contract will automatically be renewed for any additional  
33 period beyond the initial term of the professional home security services  
34 contract.

35 (b) ~~No contract for~~ Except as provided in subsection (c) of this



1 section, no professional home security services contract under subsection (a)  
 2 of this section shall be renewed for any additional period beyond the initial  
 3 term of the professional home security services contract unless the person  
 4 receiving the professional home security ~~service~~ services affirmatively  
 5 notifies the person offering the ~~service~~ professional home security services  
 6 that he or she wishes to renew the professional home security services  
 7 contract.

8 (c)(1) A provider of professional home security services and a person  
 9 may enter into a professional home security services contract that has a  
 10 fixed initial term and successive, automatic monthly renewal terms.

11 (2) If the professional home security services contract contains  
 12 a renewal clause as described in subdivision (c)(1) of this section, then:

13 (A) The professional home security services contract shall  
 14 conspicuously state that the person receiving the professional home security  
 15 services has the right without additional cost or penalty to terminate the  
 16 professional home security services contract at the end of the initial term  
 17 or the then current renewal; and

18 (B) The person shall provide the provider of the  
 19 professional home security services with notice of his or her intent to  
 20 terminate by written notice at least thirty (30) days before the expiration  
 21 of the initial term or the then current renewal term.

22 ~~(e)~~(d) This section does not affect the initial term of a professional  
 23 home security services contract under subsection (a) of this section, and  
 24 does not prohibit any person from offering to renew a professional home  
 25 security services contract under subsection (a) of this section.

26 ~~(d)~~(e) If a professional home security services contract under this  
 27 section is renewed in violation of this section, the person receiving the  
 28 professional home security ~~service~~ services may without additional cost or  
 29 penalty immediately void terminate the professional home security services  
 30 contract by giving a written termination notice to the provider and shall not  
 31 be obligated to perform under the professional home security services  
 32 contract as renewed.

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 34 APPROVED: 3/22/2007  
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