

# ARKANSAS SENATE

88th General Assembly - Regular Session, 2011

## Amendment Form

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### Subtitle of Senate Bill No. 164

TO CLARIFY THAT RELIANCE IS NOT AN ELEMENT OF PROOF IN DECEPTIVE AND  
UNCONSCIONABLE TRADE PRACTICES ACTIONS.

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### Amendment No. 1 to Senate Bill No. 164

Amend Senate Bill No. 164 as originally introduced:

Page 3, delete lines 8 through 12 and substitute the following:

“(f) ~~Any~~ A person who suffers actual damage or injury as a result of an offense or violation as defined in this chapter:

(1) ~~has~~ Has a cause of action to recover actual damages, if appropriate, and reasonable attorney’s fees-; and

(2) Shall provide written notice to the Consumer Counsel within the office of the Attorney General within thirty (30) days of filing suit under this subchapter.

(g) If a product has no commercial value or benefit to the purchaser, proof of reliance upon a deceptive or unconscionable trade practice described in § 4-88-107 is not required to obtain the relief authorized by this chapter.”



The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator J. Hutchinson  
DLP/DLP - 02/17/11 09:14  
DLP078

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Secretary