

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/25/15

A Bill

SENATE BILL 528

5 By: Senator Burnett
6 By: Representative Rushing
7

For An Act To Be Entitled

8
9 *AN ACT TO AMEND THE ARKANSAS RECREATIONAL USE*
10 *STATUTE; TO AMEND THE MEANING OF THE WORD "MALICIOUS"*
11 *WITHIN THE RECREATIONAL USE STATUTE; AND FOR OTHER*
12 *PURPOSES.*
13
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Subtitle

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16 *TO AMEND THE MEANING OF THE WORD*
17 *"MALICIOUS" WITHIN THE RECREATIONAL USE*
18 *STATUTE.*
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 18-11-302, concerning definitions under the
24 recreational use statutes, is amended to add an additional subdivision to
25 read as follows:

26 (7)(A) "Malicious" means an intentional act of misconduct that
27 the actor is aware is likely to result in harm.

28 (B) "Malicious" does not mean negligent or reckless
29 conduct.
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31 SECTION 2. DO NOT CODIFY. Applicability.

32 (a) This act applies to all causes of action that accrue on or after
33 the effective date of this act.

34 (b) This act does not apply retroactively to an action filed or a
35 cause of action that accrued before the effective date of this act.
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/s/Burnett