

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H3/14/17

A Bill

HOUSE BILL 2102

5 By: Representative Lemons
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For An Act To Be Entitled

8 AN ACT CONCERNING THE RESULTING LIABILITY UNDER A
9 WARRANTY DUE TO A BUSINESS NAME CHANGE; AND FOR OTHER
10 PURPOSES.
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Subtitle

14 CONCERNING THE RESULTING LIABILITY UNDER
15 A WARRANTY DUE TO A BUSINESS NAME CHANGE.
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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 Title 4, Chapter 86, Subchapter 1, is amended*
21 *to add an additional section to read as follows:*

22 *4-86-111. Liability – Warranty obligations.*

23 *(a) For purposes of this section, "person" means an individual,*
24 *corporation, partnership, organization, or any other legal entity.*

25 *(b) A person operating a business in this state that issues a*
26 *warranty, express or implied, shall not void the warranty or any obligations*
27 *under the terms and conditions of the warranty by conducting a change in the*
28 *name of the business or company.*

29 *(c) When a person operating in this state issues a warranty, express*
30 *or implied, and then changes the name of the business or company that issued*
31 *the warranty, then the warranty is enforceable against the new business or*
32 *company if:*

33 *(1) The new business or company is incorporated or organized by*
34 *the same individuals or principals as the original business or company; and*

35 *(2) The new business or company provides the same type of goods*
36 *or services as the original business or company.*



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/s/Lemons