

**ARKANSAS SENATE**  
84th General Assembly - Regular Session, 2003  
**Amendment Form**

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**Subtitle of House Bill No. 2336**

"AN ACT TO REPEAL THE HOME INSPECTOR REGISTRATION PROVISIONS; AND TO  
CREATE A NEW HOME HOME INSPECTORS REGISTRATION ACT."

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**Amendment No. 2 to House Bill No. 2336.**

Amend House Bill No. 2336 as engrossed, S3/31/03:

Page 7, delete line 11 through 12 and substitute the following:

“(8) Habitual or excessive use of intoxicants or illegal drugs.

17-52-309. Violation of law - Civil penalties, injunctions, and venue.

(a)(1) It is unlawful for any person not registered under this chapter to perform any act for which registration is required.

(2) Any person acting as an home inspector within the meaning of this chapter without a home inspector certificate of registration and any person who violates any other provision of this chapter shall be guilty of a misdemeanor.

(b)(1) Upon application by the Arkansas Home Inspector Registration Board, a court may grant an injunction, restraining order, or other order as may be appropriate to enjoin a person from:

(A) Offering to engage or engaging in the performance of any acts or practices that a registration is required by the Arkansas Home Inspectors Registration Act, § 17-52-301 et seq., after a showing that the acts or practices were performed or offered to be performed without a certificate of registration; or

(B) Engaging in any practice or business authorized by a certificate of registration issued under the Arkansas Home Inspectors Registration Act, § 17-52-301 et seq., upon a showing that the holder presents a substantial probability of serious danger to the health, safety, or welfare of any resident of this state or client of the certificate holder.

(2) Any person co signing a home inspection report with a registered home inspector becomes subject to the provisions of this chapter.

(c) Any action brought under this section shall be commenced in the county in which the conduct occurred, in the county in which the defendant resides, or in Pulaski County.

(d) Any actions brought under this section shall be in addition to any penalty under this chapter and may be brought concurrently with other actions to enforce the provisions of this chapter.”



AND

Page 7, line 14, delete "17-52-309." and substitute "17-52-310."

AND

Page 7, line 35, delete "17-52-310." and substitute "17-52-311."

AND

Page 8, line 9, delete "17-52-311." and substitute "17-52-312."

AND

Page 8, line 28, delete "17-52-312." and substitute "17-52-313."

AND

Page 9, line 26, delete "17-52-313." and substitute "17-52-314."

AND

Page 9, line 34, delete "17-52-314." and substitute "17-52-315."

AND

Page 10, line 25, delete "17-52-315." and substitute "17-52-316."

AND

Page 11, line 16, delete "17-52-316." and substitute "17-52-317."

AND

Page 11, line 31, delete "17-52-317." and substitute "17-52-318."

AND

Page 12, line 12, delete "17-52-318." and substitute "17-52-319."

AND

Page 12, line 30, delete "17-52-319." and substitute "17-52-320."

AND

Page 13, line 2, delete "17-52-320." and substitute "17-52-321."

AND

Page 13, line 26, delete "17-52-321." and substitute "17-52-322."

AND

Page 20, delete line 16 and substitute the following:

“SECTION 3. Arkansas Code § 16-56-104 is amended to read as follows:  
16-56-104. Actions with limitation of one year.

The following actions shall be commenced within one (1) year after the cause of action shall accrue, and not thereafter:

- (1) All special actions on the case;
- (2) Actions for assault and battery, and false imprisonment;
- (3) All actions for words spoken slandering the character of another;
- (4) All actions for words spoken whereby special damages are sustained; and
- (5) All actions for damages suffered by a consumer as a result of any act or omission of a home inspector relating to a home inspection report.

SECTION 4. Certificates of registration issued to home inspectors”

AND

Page 20, line 20 delete “SECTION 4.” And substitute “SECTION 5.”

AND

Page 20, line 25 delete “SECTION 5.” And substitute “SECTION 6.”

AND

Page 20, line 29 delete “SECTION 6.” And substitute “SECTION 7.”

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

By: Senator Faris  
MTB/JGR - 040320030859  
JGR656

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Secretary