

ARKANSAS SENATE

93rd General Assembly - Regular Session, 2021

Amendment Form

Subtitle of House Bill No. 1426

TO ESTABLISH THE ARKANSAS FAIR FOOD DELIVERY ACT.

Amendment No. 1 to House Bill 1426

Amend House Bill No. 1426 as originally introduced:

Page 2, delete line 7, and substitute the following:

"orders and deliver food orders prepared by the food facility to consumers.

4-75-1304. Remedies.

(a) A food facility may bring a civil action to enjoin a violation of this subchapter.

(b)(1) If a court finds a violation of this subchapter, the court shall issue an injunction.

(2) In addition to the remedy in subdivision (b)(1) of this section, the court may:

(A) Require the violator to pay to the injured party all profits derived from or damages resulting from the wrongful act; and

(B) Order that the wrongful act be terminated.

(c) If the court finds that the food delivery platform committed the wrongful act in bad faith by not obtaining an agreement or written consent, the court may:

(1) Enter judgment in an amount not to exceed three (3) times the amount of profits and damages; and

(2) Award reasonable attorney's fees to the restaurant."



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

By: Senator M. Johnson

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Secretary