

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Bell**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 16-22-308 TO DISTINGUISH
9 ACTIONS ON INSURANCE POLICIES FROM ACTIONS FOR BREACH OF
10 CONTRACT FOR PURPOSES OF RECOVERING ATTORNEY_S FEES; AND
11 FOR OTHER PURPOSES."

Subtitle

14 "TO DISTINGUISH ACTIONS ON INSURANCE POLICIES FROM ACTIONS
15 FOR BREACH OF CONTRACT IN REGARD TO ATTORNEY FEES."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. Arkansas Code § 16-22-308 is amended to read as follows:

20 "16-22-308. Attorney's fee in certain civil actions. In any civil
21 action to recover on an open account, statement of account, account stated,
22 promissory note, bill, negotiable instrument, or contract relating to the
23 purchase or sale of goods, wares, or merchandise, or for labor or services, or
24 breach of contract, unless otherwise provided by law or the contract which is
25 the subject matter of the action, the prevailing party may be allowed a
26 reasonable attorney fee to be assessed by the court and collected as costs;
27 however, for purposes of this subsection, a civil action for breach of
28 contract shall not include actions on insurance policies."

30 SECTION 2. All provisions of this act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.

34 SECTION 3. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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5 SECTION 4. All laws and parts of laws in conflict with this act are
6 hereby repealed.

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