

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO REQUIRE A CONSUMER REPORTING AGENCY TO RECORD A
9 RELEASE OF JUDGMENT OR CLAIM WITHIN THIRTY (30) DAYS AFTER
10 THE DATE OF THE ACTUAL RELEASE; AND FOR OTHER PURPOSES."

Subtitle

13 "TO REQUIRE A CONSUMER REPORTING AGENCY TO RECORD A
14 RELEASE OF JUDGMENT OR CLAIM WITHIN THIRTY (30) DAYS AFTER
15 THE DATE OF THE RELEASE."

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

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19 SECTION 1. (a) A consumer reporting agency shall record a release of
20 judgment or claim within thirty days of the date of the actual release.

21 (b) For purposes of this act, a "consumer reporting agency" means any
22 person or entity, which for monetary fees, dues, or on a cooperative nonprofit
23 basis, regularly engages in whole or in part in the practice of assembling or
24 evaluating consumer credit information or other information on consumers for
25 the purpose of furnishing consumer reports to third parties.

26 (c) Any consumer reporting agency which is negligent in failing to
27 comply with the requirements of this act with respect to any consumer is
28 liable to that consumer in an amount equal to the sum of the following:

29 (1) any actual damages sustained by the consumer as a result of
30 the failure;

31 (2) such amount of punitive damages as the court may allow; and

32 (3) in the case of any successful action to enforce any liability
33 under this act, the costs of the action together with any reasonable
34 attorney's fees as determined by the court.

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

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5 SECTION 3. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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

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