

As Engrossed: 4/1/93

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

A Bill

SENATE BILL 811

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS 16-65-604 PERTAINING TO THE
9 COLLECTION OF JUDGMENTS ENJOINED DURING PENDENCY OF AN
10 ACTION; AND FOR OTHER PURPOSES."

Subtitle

13 "PERTAINING TO THE COLLECTION OF JUDGMENTS ENJOINED DURING
14 PENDENCY OF AN ACTION."

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

18 SECTION 1. Arkansas Code 16-65-604 is amended to read as follows:

19 "16-65-604. Collection of judgment enjoined during pendency of action
20 which may be usable as setoff.

21 During the pendency of an action, or while any claim, contract or other
22 obligation remains unsatisfied or unfulfilled, which could be used as a setoff
23 against a prior judgment in favor of the defendants or parties or any of them,
24 the court, to prevent loss by insolvency, nonresidence, or otherwise, shall
25 enjoin and stay collection and enforcement of the prior judgment in favor of
26 the defendants or parties upon such terms and conditions as the court deems
27 necessary."

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

33 SECTION 3. If any provision of this act or the application thereof to
34 any person or circumstance is held invalid, such invalidity shall not affect
35 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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5 hereby repealed.

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7 SECTION 5. EMERGENCY. *It is hereby found and determined by the General*
8 *Assembly that in order to prevent unnecessary loss Arkansas Code 16-65-604,*
9 *concerning prior judgements which may be enjoined when there may be a setoff,*
10 *should be revised. Therefore, an emergency is hereby declared to exist and*
11 *this act being necessary for the immediate preservation of the public peace,*
12 *health and safety shall be in full force and effect from and after its passage*
13 *and approval.*

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/s/Senator Gordon

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