

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 751

4 By: Senators Snyder and Beebe

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For An Act To Be Entitled

8 "AN ACT TO REQUIRE OWNERS OF RESIDENTIAL RENTAL PROPERTY
9 WHO RESIDE OUT OF STATE TO APPOINT AN ARKANSAS RESIDENT AS
10 THEIR AGENT FOR RECEIVING SERVICE OF PROCESS FOR VIOLATION
11 OF CITY ORDINANCES REGARDING SUCH PROPERTY; AND FOR OTHER
12 PURPOSES."

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Subtitle

15 "TO REQUIRE OWNERS OF RESIDENTIAL RENTAL
16 PROPERTY WHO RESIDE OUT OF STATE TO
17 APPOINT AN ARKANSAS RESIDENT AS THEIR
18 AGENT FOR RECEIVING SERVICE OF PROCESS
19 FOR VIOLATION OF CITY ORDINANCES
20 REGARDING SUCH PROPERTY."

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

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24 SECTION 1. Every person who resides outside the state of Arkansas and
25 who owns property within this state which is offered for lease or rental for
26 residential occupancy shall appoint a resident of the county wherein the
27 property is located as their agent to receive service of process regarding
28 the violation of any city or county ordinance affecting the property. If the
29 property owner fails to appoint an agent, the city clerk if the property is
30 located in the city, or the county clerk if the property is located outside
31 an incorporated area, is hereby designated agent to accept service for the
32 property owner.

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34 SECTION 2. When the nonresident property owner fails to appear in
35 court after his agent has been served with process, the court may invoke

1 sanctions prescribed by ordinance or state law, and enter findings of
2 contempt against the property owner, revoke any permit granted by the city,
3 order the property closed, or impose such other sanction as is not contrary
4 to the laws of this state.

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6 SECTION 3. The agent shall register with the appropriate city or county
7 clerk within thirty (30) days after rental occupancy. Failure to register
8 shall result in revocation of any required permit or certificate granted by
9 the city or county pursuant to occupancy.

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11 SECTION 4. All provisions of this act of a general and permanent
12 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
13 Code Revision Commission shall incorporate the same in the Code.

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15 SECTION 5. If any provision of this act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 act are declared to be severable.

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

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24 */s/Snyder*

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