

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1078

4
5 By: House Interim Committee on Insurance and Commerce
6 By: Senate Interim Committee on Insurance and Commerce

For An Act To Be Entitled

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8
9 "AN ACT TO REENACT ARKANSAS CODE 23-32-911 PERTAINING TO
10 LOANS UNDER THE SERVICEMEN_S READJUSTMENT ACT; AND FOR
11 OTHER PURPOSES."

Subtitle

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14 "TO REENACT ARKANSAS CODE PERTAINING TO
15 LOANS UNDER THE SERVICEMEN_S
16 READJUSTMENT ACT."

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

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20 SECTION 1. Loans under Servicemen's Readjustment Act.

21 (a) In applying to loans made under the Servicemen's Readjustment Act of
22 1944, any restrictions of any character imposed by the laws of Arkansas upon
23 loans which state-chartered lending institutions may make, purchase, or
24 otherwise acquire, no consideration whatsoever shall be given:

25 (1) Any loan or loan obligation which is wholly guaranteed or insured by
26 the Administrator of Veterans' Affairs, under Title III of that act or for the
27 insurance or guaranty of which the administrator has issued his binding
28 commitment; or

29 (2) If any loan or loan obligation be guaranteed or insured only in part
30 under the act:

31 (A) That portion of the loan or loan obligation so guaranteed or insured
32 by the administrator; and

33 (B) That portion of the loan or loan obligation that may be guaranteed
34 or insured by the United States or by any department, bureau, or agency
35 thereof, including any corporation which, or the capital stock of which, is
36 owned by the Government of the United States.

1 (b) As used in this section, "restrictions of any character" includes:

2 (1) Restrictions on the aggregate amount of loans which any lending
3 institution may lawfully make to any one (1) borrower; and

4 (2) Restrictions on the duration of the loan or the time or manner of
5 repayment.

6 (c) As used in this section, "state-chartered lending institutions"
7 includes building and loan associations, savings and loan associations,
8 insurance companies, and other institutions and organizations authorized to
9 make loans in this state.

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

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15 SECTION 3. 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 4. All laws and parts of laws in conflict with this act are
22 hereby repealed.

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24 SECTION 5. EMERGENCY. It is hereby found and determined by the General
25 Assembly that the Arkansas Banking Act of 1997 goes into effect on May 31,
26 1997; that the law addressed by this act was repealed by the Arkansas Banking
27 Act of 1997 for technical purposes; that this act will reenact that law with
28 necessary changes; and that this act must go into effect on May 31, 1997, in
29 order to correlate with the Banking Act of 1997. Therefore an emergency is
30 declared to exist and this act being immediately necessary for the
31 preservation of the public peace, health and safety shall be in full force and
32 effect from and after May 31, 1997.

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