

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

As Engrossed: S3/25/97

A Bill

HOUSE BILL 1926

4
5 By: Representative Rodgers

For An Act To Be Entitled

9 "AN ACT TO CLARIFY THE ARKANSAS FRANCHISE PRACTICES ACT;
10 AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT TO CLARIFY THE ARKANSAS
14 FRANCHISE PRACTICES ACT."

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

18 SECTION 1. Arkansas Code 4-72-202(1) is amended to read as follows:

19 "(1) Franchise means a written or oral agreement for a definite or
20 *indefinite period, in which a person grants to another person a license to use*
21 *a trade name, trademark, service mark, or related characteristic within an*
22 *exclusive or nonexclusive territory, or to sell or distribute goods or*
23 *services within an exclusive or nonexclusive territory, at wholesale, retail,*
24 *by lease agreement, or otherwise. However, a franchise is not created by a*
25 *lease, license, or concession granted by a retailer to sell goods or furnish*
26 *services on or from premises which are occupied by the retailer-grantor*
27 *primarily for its own merchandising activities and a franchise is not created*
28 *by door-to-door sales complying with § 4-89-101, et seq.;*"

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
36 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5 hereby repealed.

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/s/Rodgers

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