

State of Arkansas

82nd General Assembly

Regular Session, 1999

# A Bill

HOUSE BILL 2061

By: Representative Luker

## For An Act To Be Entitled

"AN ACT TO DECLARE THAT GAMBLING DEBTS ARE  
UNENFORCEABLE IN THIS STATE; AND FOR OTHER PURPOSES."

## Subtitle

"AN ACT TO DECLARE THAT GAMBLING DEBTS  
ARE UNENFORCEABLE IN THIS STATE."

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

SECTION 1. Arkansas Code 16-118-103 is amended to add an additional  
subsection to read as follows:

"(e) It is the strong public policy of the State of Arkansas that  
gambling, whether regulated or unregulated, on credit is an unenforceable  
contract and the courts of this state shall not enforce gambling debts,  
regardless of whether the contract was entered into within this state or  
without this state."

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

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

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2 hereby repealed.

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4           SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the  
5 Eighty-second General Assembly that gambling on credit creates a serious  
6 social and economic problem for the citizens of this state; and that least one  
7 court has applied the statute amended by this act contrary to the best  
8 interests of the citizens of this state and the public policy of this state;  
9 that this act clarifies the law; and that this act should go into effect as  
10 soon as possible to settle the issues enumerated. Therefore, an emergency is  
11 declared to exist and this act being immediately necessary for the  
12 preservation of the public peace, health and safety shall become effective on  
13 the date of its approval by the Governor. If the bill is neither approved nor  
14 vetoed by the Governor, it shall become effective on the expiration of the  
15 period of time during which the Governor may veto the bill. If the bill is  
16 vetoed by the Governor and the veto is overridden, it shall become effective  
17 on the date the last house overrides the veto.