1   State of Arkansas

2   84th General Assembly   A Bill

3   Regular Session, 2003   HOUSE BILL   1851

4

5   By: Representative Verkamp

6

7

8   **For An Act To Be Entitled**

9   AN ACT TO LIMIT THE LIABILITY OF AN AGENT FOR

10   SERVICE OF PROCESS UNDER A SYSTEMATIC RESIDENTIAL

11   RENTAL PROPERTY INSPECTION PROGRAM; AND FOR OTHER

12   PURPOSES.

13

14   **Subtitle**

15   AN ACT TO LIMIT THE LIABILITY OF AN

16   AGENT FOR SERVICE OF PROCESS UNDER A

17   SYSTEMATIC RESIDENTIAL RENTAL PROPERTY

18   INSPECTION PROGRAM.

19

20

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

22

23   SECTION 1. Arkansas Code § 17-42-107, concerning the capacity of

24   licensees to sue and be sued, is amended to add an additional subsection to

25   read as follows:

26   (c)(1) As used in this subsection, "systematic residential rental

27   property inspection program" means a program which requires all persons who

28   reside outside of the State of Arkansas and are owners of residential rental

29   property located within the corporate limits of a municipality in this state,

30   to designate an agent for service of process.

31   (2) In any municipality which has established a systematic

32   residential rental property inspection program, a licensee, as defined under

33   § 17-42-103, acting as an agent for service of process for a nonresident

34   owner, shall not have criminal or civil liability to the municipality, the

35   nonresident owner, or otherwise, for any action or inaction of the

36   municipality or owner, so long as, within three (3) business days of receipt

1 of service of process, the licensee sends the service of process to the last

2 known address of the nonresident owner.

3   (3) This subsection shall have priority over any provision of

4 common law, contractual provision, statute, rule, ordinance, or directive

5 alleged to be or specifically to the contrary.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36