

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/20/03

A Bill

HOUSE BILL 1851

5 By: Representative Verkamp
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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

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.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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, statute, rule, ordinance, or directive alleged to be or
5 specifically to the contrary.

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/s/ Verkamp