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|---|---|---|
| 1 | State of Arkansas | *As Engrossed: H2/16/05* |
| 2 | 85th General Assembly | A Bill |
| 3 | Regular Session, 2005 | HOUSE BILL  1377 |

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5    By:  Representative Verkamp

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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.

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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 (c), "systematic residential rental

27    property inspection program" means a program that 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 that has established a systematic*

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

33    *17-42-103 shall not have criminal or civil liability to the municipality, the*

34    *nonresident owner, or otherwise for any action or inaction of the*

35    *municipality or owner:*

36                   *(a)  When acting as an agent for service of process for a*

1   *nonresident owner;*
2                       *(b)   Arising from the agent's performance of duties as the*
3   *agent for service of process; and*
4                       *(c)   If within three (3) business days of receipt of*
5   *service of process or at other times established by ordinance the licensee*
6   *sends the service of process to the last known address of the nonresident*
7   *owner.*
8               *(3)   This subsection supersedes any provision of common law to*
9   *the contrary.*
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11                                  */s/ Verkamp*
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