

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.

State of Arkansas

As Engrossed: H2/16/05 S3/29/05

85th General Assembly

A Bill

Regular Session, 2005

HOUSE BILL 1377

By: Representative Verkamp

For An Act To Be Entitled

AN ACT TO LIMIT THE LIABILITY OF AN AGENT FOR
SERVICE OF PROCESS UNDER A SYSTEMATIC RESIDENTIAL
RENTAL PROPERTY INSPECTION PROGRAM; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT TO LIMIT THE LIABILITY OF AN
AGENT FOR SERVICE OF PROCESS UNDER A
SYSTEMATIC RESIDENTIAL RENTAL PROPERTY
INSPECTION PROGRAM.

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

SECTION 1. Arkansas Code § 17-42-107, concerning the capacity of
licensees to sue and be sued, is amended to add an additional subsection to
read as follows:

(c)(1) As used in this subsection (c), "systematic residential rental
property inspection program" means a program that requires all persons who
reside outside of the State of Arkansas and are owners of residential rental
property located within the corporate limits of a municipality in this state
to designate an agent for service of process.

(2) In any municipality that has established a systematic
residential rental property inspection program, a licensee as defined under §
17-42-103 shall not have criminal or civil liability to the municipality, the
nonresident owner, or otherwise for any action or inaction of the
municipality or owner:

(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 in effect as of
6 the effective date of this subsection (c), the licensee sends the service of
7 process to the last known address of the nonresident 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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