

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 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/9/05 H3/21/05

A Bill

SENATE BILL 975

5 By: Senator Bisbee
6 By: Representatives Pritchard, Anderson
7

For An Act To Be Entitled

10 AN ACT TO REQUIRE THAT RESIDENTIAL CONTRACTORS BE
11 GIVEN NOTICE AND AN OPPORTUNITY TO REPAIR; AND
12 FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO REQUIRE THAT RESIDENTIAL
15 CONTRACTORS BE GIVEN NOTICE AND AN
16 OPPORTUNITY TO REPAIR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 *SECTION 1. Arkansas Code Title 17, Chapter 25, Subchapter 5, is*
23 *amended to add an additional section as follows:*

24 17-25-515. Notice and opportunity to repair residential construction
25 claims.

26 (a) No suit or arbitration proceeding shall be filed against a
27 contractor to obtain relief for any claim in connection with the construction
28 of any part of a single family residence unless:

29 (1) The party asserting the claim provides written notice of the
30 claim to the contractor at least twenty (20) days prior to commencing the
31 suit or arbitration proceeding; and

32 (2) The contractor is given a reasonable opportunity to resolve
33 the claim.

34 (b) Any suit or arbitration proceeding commenced in violation of
35 subsection (a) of this section shall be dismissed without prejudice and may
36 be refiled if:



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(1) The new suit or arbitration proceeding is filed within the next one hundred twenty (120) days after dismissal of the original suit or arbitration proceeding; and

(2) The notice and opportunity to repair required under subsection (a) of this section has been given.

(c) The Residential Building Contractors Committee shall adopt any rules and regulations the committee considers necessary or desirable to enforce and implement the provisions of this section.

/s/ Bisbee