

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: S3/7/07
A Bill

SENATE BILL 783

5 By: Senator Bisbee
6 By: Representative Anderson
7
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9 **For An Act To Be Entitled**

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

14 **Subtitle**

15 AN ACT TO REQUIRE THAT RESIDENTIAL
16 BUILDING CONTRACTORS BE GIVEN NOTICE AND
17 AN 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 amended
23 to add an additional section to read 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 as defined by § 17-25-502(3),
29 unless:

30 (1) The party asserting the claim has provided written notice of
31 the claim to the contractor at least twenty (20) days before commencing the
32 suit or arbitration proceeding; and

33 (2) The contractor fails to:

34 (A) Respond to the written notice within seven (7) days
35 from receipt of the written notice; or

36 (B) Resolve the claim within thirty (30) days from receipt



1 of the written notice, weather permitting.

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

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

8 (2) The notice and opportunity to *resolve the claim* required
9 under subsection (a) of this section has been given.

10 (c) The Residential Building Contractors Committee shall adopt any
11 rules that the committee considers necessary or desirable to enforce and
12 implement this section.

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14 /s/ Bisbee
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