

State of Arkansas  
86th General Assembly  
Regular Session, 2007

# A Bill

SENATE BILL 906

By: Senator R. Thompson

## For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE § 4-86-102 TO  
CLARIFY THE LIABILITY OF SUPPLIERS; AND FOR OTHER  
PURPOSES.

## Subtitle

AN ACT TO AMEND ARKANSAS CODE § 4-86-102  
TO CLARIFY THE LIABILITY OF SUPPLIERS.

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

SECTION 1. Arkansas Code § 4-86-102 is amended to read as follows:  
4-86-102. Liability of supplier.

(a) A supplier of a product is subject to liability in damages for  
harm to a person or to property if:

(1) The supplier is engaged in the business of manufacturing,  
assembling, selling, leasing, or otherwise distributing the product;

(2) The product was supplied by him or her in a defective  
condition which rendered it unreasonably dangerous; and

(3) The defective condition was a proximate cause of the harm to  
person or to property.

(b) The provisions of subsection (a) of this section apply although  
the claiming party has not obtained the product from or entered into any  
contractual relation with the supplier.

(c)(1) Any licensee under § 17-42-103(10) who is only providing  
brokerage and sales services under his or her license shall not be considered  
a supplier under this section.

(2)(A) Except as provided in subdivisions (c)(2)(B) and (C) of



1 this section, real estate and improvements located on real estate shall not  
2 be considered a product under this section.

3 (B) Any tangible object or good produced that is affixed  
4 to, installed on, or incorporated into real estate or any improvement on real  
5 estate shall be considered a product under this section.

6 (C) If environmental contaminants exist or have occurred  
7 in an improvement on real estate, the improvement on real estate shall be  
8 considered a product under this section.