## 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	As Engrossed: H3/13/09		
2	87th General Assembly	A Bill		
3	Regular Session, 2009		HOUSE BILL	1682
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5	By: Representative Maloch			
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8		For An Act To Be Entitled		
9	AN ACT T	TO PROVIDE THAT THE DECEPTIVE TRADE		
10	PRACTICE	ES CHAPTER OF THE ARKANSAS CODE DOES NO	OT	
11	APPLY TO	ACTIONS THAT ARISE OUT OF AN		
12	UNAUTHOR	RIZED PRACTICE OF LAW CLAIM; AND FOR O	THER	
13	PURPOSES	S.		
14				
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16		Subtitle		
17	TO PR	ROVIDE THAT THE DECEPTIVE TRADE		
18	PRACT	TICES CHAPTER OF THE ARKANSAS CODE		
19	DOES	NOT APPLY TO ACTIONS THAT ARISE OUT		
20	OF AN	N UNAUTHORIZED PRACTICE OF LAW		
21	CLAIM	1.		
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24	BE IT ENACTED BY THE G	ENERAL ASSEMBLY OF THE STATE OF ARKANS	SAS:	
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26	SECTION 1. Arka	nsas Code § 4-88-101 is amended to add	l a new	
27	subdivision to read as	follows:		
28	4-88-101. Appli	cability of chapter.		
29	This chapter doe	s not apply to:		
30	(1) Adver	tising or practices which are subject	to and which	
31	comply with any rule,	order, or statute administered by the	Federal Trade	<u>:</u>
32	Commission;			
33	(2) Broad	casters, printers, publishers, and oth	ner persons	
34	engaging in the dissem	ination of information who do not have	e actual knowl	.edge
35	of the intent, design,	purpose, or deceptive nature of the a	advertising or	•
36	practice;			

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1	(3) Actions or transactions permitted under laws administered by
2	the Insurance Commissioner, the Securities Commissioner, the State Highway
3	Commission, the Bank Commissioner, or other regulatory body or officer acting
4	under statutory authority of this state or the United States, unless a
5	director of these divisions specifically requests the Attorney General to
6	implement the powers of this chapter; or
7	(4) Actions or transactions of a public utility which have been
8	authorized by the Arkansas Public Service Commission, a municipal authority,
9	the Federal Energy Regulatory Commission, the Federal Communications
10	Commission, or other regulatory body or officer acting under statutory
11	authority of the United States; or
12	(5) Except for actions brought by the Attorney General to
13	enforce this chapter, actions where the complaining party claims that the
14	actual damages sustained were caused by the defendant's engaging in the
15	unauthorized practice of law.
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17	/s/ Maloch
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