

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 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

SENATE BILL 54

5 By: Senator J. Jeffress  
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## For An Act To Be Entitled

9 AN ACT TO CLARIFY THE RIGHTS OF PARTIES TO  
10 JEWELRY THAT IS UNCLAIMED FOR MORE THAN ONE YEAR  
11 BY ITS OWNER OR CONSIGNOR; AND FOR OTHER  
12 PURPOSES.  
13

## Subtitle

14 TO CLARIFY THE RIGHTS OF PARTIES TO  
15 JEWELRY THAT IS UNCLAIMED FOR MORE THAN  
16 ONE YEAR BY ITS OWNER OR CONSIGNOR.  
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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 18, Chapter 28, Subchapter 1 is amended  
23 to add an additional section to read as follows:

24 18-28-102. Abandonment of jewelry with jeweler or merchant for  
25 service, repair, or on consignment – Disposition.

26 (a) An item of jewelry left with a jeweler or merchant for service or  
27 repair, or on consignment that is not claimed within one (1) year or a later  
28 time if the later time is specified in writing shall be deemed abandoned  
29 property and may be disposed of under this section without recourse by or  
30 liability to the party delivering the jewelry, the owner of the jewelry, or  
31 any other party.

32 (b) The jeweler or merchant may dispose of the jewelry and may retain  
33 the proceeds from any sale of the jewelry if at the time of receiving the  
34 jewelry:

35 (1) The jeweler or merchant gives the party delivering the  
36 jewelry notice in writing that:



1                   (A) The jeweler or merchant may dispose of the jewelry  
2 without any liability or accountability to the party delivering the jewelry,  
3 the owner of the jewelry, or any other party unless the jewelry is reclaimed  
4 within one (1) year or a later time if the later time is specified by the  
5 parties in writing; and

6                   (B) The party delivering the jewelry, the owner of the  
7 jewelry, or any other interested party must supply to the jeweler or merchant  
8 a current mailing address in order to receive notice of a sale or other  
9 disposition of the property after one (1) year or a later time if the later  
10 time is specified by the parties in writing; and

11                   (2) The jeweler or merchant receives a current mailing address  
12 from the party delivering the jewelry and, if different, the owner of the  
13 jewelry.

14                   (c)(1) Notice that the jewelry is deemed abandoned under this section  
15 shall be sent by certified mail to each current mailing address that has been  
16 supplied to the jeweler or merchant at least fifteen (15) days prior to the  
17 sale or other disposition of the jewelry, or a different time period if  
18 agreed to by the parties in writing.

19                   (2) The failure of the party delivering the jewelry, the owner  
20 of the jewelry, or any other interested party to supply a current mailing  
21 address in order to receive notice of the sale or other disposition of the  
22 jewelry is a waiver of any right, claim, or interest in the jewelry.

23                   (d) A jeweler or merchant that disposes of jewelry under this section  
24 waives all rights to recover a fee for any repair or service performed in  
25 connection with the jewelry.

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