

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

SENATE BILL 1010

5 By: Senator J. Hutchinson
6

For An Act To Be Entitled

8 AN ACT TO CREATE THE OFFENSE OF UNLAWFUL SALE OF
9 BEDDING; AND FOR OTHER PURPOSES.
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Subtitle

11 TO CREATE THE OFFENSE OF UNLAWFUL SALE OF
12 BEDDING.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 5, Chapter 37, Subchapter 5, is amended
20 to add a new section to read as follows:

21 5-37-505. Unlawful sale of bedding.

22 (a) As used in this section:

23 (1) "Bedding" means a mattress, upholstered
24 spring, comforter, pad, cushion, or pillow designed and made for use in
25 sleeping; and

26 (2) "New" means:

27 (A) The state of being unused other than in the
28 manufacturing, distributing, or retailing process; or

29 (B) An item for which the legal title has not been
30 transferred by a manufacturer, distributor, or retailer to a final purchaser.

31 (b) A person commits the offense of unlawful sale of bedding if, with
32 the purpose to defraud, the person knowingly:

33 (1) Offers for sale or sells bedding that is not new; and

34 (2) Represents that the bedding is new.

35 (c) Unlawful sale of bedding is a Class A misdemeanor.
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