

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 563

5 By: Senator T. Garner  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING THE FILING OF MULTIPLE FRIVOLOUS  
9 LAWSUITS BY INMATES IN THE DEPARTMENT OF CORRECTION;  
10 AND FOR OTHER PURPOSES.  
11  
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## Subtitle

13 CONCERNING THE FILING OF MULTIPLE  
14 FRIVOLOUS LAWSUITS BY INMATES IN THE  
15 DEPARTMENT OF CORRECTION.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 16-68-607 is amended to read as follows:  
22 16-68-607. Multiple lawsuits.

23 (a) As used in this section, "civil action or proceeding" includes  
24 without limitation:

25 (1) A legal action filed in federal or state court; and

26 (2) A claim filed with the Arkansas State Claims Commission.

27 ~~In no event shall an incarcerated person bring a civil action or appeal~~  
28 ~~a judgment in a civil action or proceeding under the Arkansas indigency~~  
29 ~~statutes if the incarcerated person has on three (3) or more prior occasions,~~  
30 ~~while incarcerated or detained in any facility, brought an action that is~~  
31 ~~frivolous, malicious, or fails to state a claim upon which relief may be~~  
32 ~~granted, unless the incarcerated person is under imminent danger of serious~~  
33 ~~physical injury.~~

34 (b) Unless the incarcerated person is under imminent danger of serious  
35 physical injury, an incarcerated person may not bring a civil action or  
36 appeal a judgment in a civil action or proceeding under the Arkansas



1 indigency statutes if, on three (3) or more prior occasions while  
2 incarcerated or detained in any facility, the incarcerated person brought an  
3 action that was determined by a court to:

4 (1) Be frivolous or malicious; or

5 (2) Fail to state a claim upon which relief may be granted.