

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 551

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

8 AN ACT TO AMEND THE LAW CONCERNING RESTRICTIVE
9 COVENANTS; TO AUTHORIZE THE TERMINATION OF CERTAIN
10 RESTRICTIVE COVENANTS; AND FOR OTHER PURPOSES.
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Subtitle

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14 TO AMEND THE LAW CONCERNING RESTRICTIVE
15 COVENANTS; AND TO AUTHORIZE THE
16 TERMINATION OF CERTAIN RESTRICTIVE
17 COVENANTS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. DO NOT CODIFY. Legislative intent.

23 The General Assembly finds that:

24 (1) The law disfavors restrictions upon real property,
25 especially restrictions which prohibit the free use of real property;

26 (2) The restraints imposed by a restrictive covenant on real
27 property may be harmful to a property owner desiring to adapt his or her
28 property due to changed circumstances, particularly when the restriction is
29 obsolete and the damages incurred by the removal of the restrictive covenant
30 are likely to be nominal;

31 (3) Many restrictive covenants on real property no longer serve
32 the purpose for which they were intended due to changed circumstances over
33 time;

34 (4) A restrictive covenant is especially burdensome when the
35 right to enforce the restriction exists by numerous property owners who may
36 be;



