

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1822

5 By: Representative Burkes
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For An Act To Be Entitled

8 AN ACT TO REQUIRE A PLAINTIFF'S VERDICT IN A TORT
9 ACTION TO BE REDUCED DUE TO PAYMENT BY A COLLATERAL
10 SOURCE; AND FOR OTHER PURPOSES.
11

Subtitle

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13 TO REQUIRE A PLAINTIFF'S VERDICT IN A
14 TORT ACTION TO BE REDUCED DUE TO PAYMENT
15 BY A COLLATERAL SOURCE.
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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 Title 16, Chapter 64, Subchapter 1, is
22 amended to add an additional section to read as follows:

23 16-64-132. Reduction of damages for payment from collateral source.

24 (a)(1) In an action to recover damages for a tort resulting in death
25 or injury to person or damage to property, after the finder of fact has
26 returned its verdict stating the amount of damages to be awarded, the court
27 shall reduce the amount of the verdict by the amount the plaintiff, or his or
28 her estate or personal representative, has been or will be wholly or
29 partially indemnified or compensated for the death, injury, or damage by:

30 (A) Another person;

31 (B) A corporation;

32 (C) An insurance company; or

33 (D) A fund.

34 (2) A reduction under subdivision (a)(1) of this section shall
35 not include the amount the plaintiff, or his or her estate or personal
36 representative, has been or will be wholly or partially indemnified or



1 compensated by a benefit paid as a result of a contract entered into and paid
2 for by or on behalf of the plaintiff.

3 (b) The court shall enter judgment on the reduced amount described in
4 subsection (a) of this section.

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