

ARKANSAS SENATE
93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of Senate Bill No. 594

TO AMEND THE ARKANSAS RESIDENTIAL LANDLORD-TENANT ACT OF 2007; AND TO AMEND THE
LAW CONCERNING A CAUSE OF ACTION FOR UNLAWFUL DETAINER AND FORCIBLE ENTRY AND
DETAINER.

Amendment No. 1 to Senate Bill 594

Amend Senate Bill No. 594 as originally introduced:

Page 1, delete line 31, and substitute the following:

"failure of, or caused by, public utility service, or other force majeure events to include"

AND

Page 2, delete line 1, and substitute the following:

"tenant or tenants named in the lease or rental agreement:"

AND

Page 2, delete line 16, and substitute the following:

"(c) A landlord shall be deemed to be in compliance with the requirements of subsection"

AND

Page 2, delete lines 18 and 19, and substitute the following:

"(1) If the landlord supplies the tenant, at the time possession is available to the tenant, a written form with which to list any defects listed in"

AND

Page 2, delete line 30, and substitute the following:

"defect; or"

AND

Page 3, delete line 4, and substitute the following:



"with subsection (a) of this section, the tenant is entitled to deliver written notice of the"

AND

Page 3, delete line 8, and substitute the following:

"(2)(A) If the payment of rent is current, noncompliance is not excused under subsection (c) of this section, and the landlord does"

AND

Page 3, delete line 14, and substitute the following:

"(B) However, if the implied quality standards"

AND

Page 3, delete line 17, and substitute the following:

"premises as provided in § 18-16-301 et seq. in addition to any other remedy provided by applicable law."

AND

Page 3, line 18, delete "section" and substitute "chapter"

AND

Page 3, delete line 21, and substitute the following:

"landlord for any alleged or actual violation of the implied"

AND

Page 3, line 23, delete "section" and substitute "chapter"

AND

Page 3, delete lines 24 through 27, and substitute the following:

"shall prohibit a tenant from making a correct installation at his or her expense of a battery powered or plug-in smoke or carbon monoxide detector.

(2) If a battery powered or plug-in smoke or carbon monoxide detector is installed, the tenant shall be solely responsible for:"

AND

Page 3, delete lines 30 through 33, and substitute the following:

"(C) Any damage or repairs to the premises caused by the installation or removal of the detector.

(f) Nothing in this chapter shall be construed to:

(1) Limit a landlord's exercise of any remedy provided at law or equity"

AND

Page 4, delete lines 29 through 31, and substitute the following:

"the clerk of ~~this the~~ court a written objection to the claims made against you by the plaintiff for possession of the property described in the complaint, then the plaintiff shall be entitled to an order from the court or clerk of the court granting a writ of possession which shall forthwith ~~issue~~ ~~from this office~~ be directed to the"

AND

Page 4, delete line 34, and substitute the following:

"thereof. If you should file with the clerk of the court a written objection to the complaint of the"

AND

Page 5, delete line 18, and substitute the following:

"order the clerk to immediately issue a writ of possession directed to the sheriff"

AND

Page 6, delete lines 11 and 12, and substitute the following:

"plaintiff is likely to succeed on the merits at a full hearing ~~and if the plaintiff provides adequate security as determined by the court~~, then the"

AND

Page 6, delete lines 25 through 30, and substitute the following:

"(e) If the defendant desires to retain possession of the property, the court ~~shall~~ may upon motion and good cause shown allow the retention ~~upon the defendant's providing of the premises only if the defendant provides,~~ within five (5) calendar days of ~~issuance of the writ of possession~~ service of the summons, adequate security as determined ~~by~~ in the discretion of the court, in any event not less than the amount of any delinquent rent and rent to accrue while the defendant is allowed to retain possession of the premises."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Dismang
DTP/DTP - 03-23-2021 15:18:05
DTP211

Secretary