

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Senator Kinard

SENATE BILL 549

"AN ACT TO ESTABLISH THE CRIME OF DEFRAUDING A MATERIALMAN;
PRESCRIBING THE PENALTY THEREFOR; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. (1) A person commits the offense of defrauding a materialman if, being the principal residential contractor he fails to pay any supplier or subcontractor for materials, goods or labor furnished to the project within sixty (60) days of receipt of payment under the construction contract.

(2) For purposes of this Act, it is prima facie evidence that the failure to pay was with the intent to defraud if payment is not made to the supplier or subcontractor within sixty (60) days of receipt of payment under the construction contract.

(3) Defrauding a materialman is a Class D felony.

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

