

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: S3/19/13  
**A Bill**

SENATE BILL 919

By: Senator Holland

### For An Act To Be Entitled

AN ACT TO REGULATE EVERGREEN CLAUSES OR AUTOMATIC RENEWALS IN CERTAIN LEASE AGREEMENTS; TO CLARIFY THE LAW CONCERNING EVERGREEN CLAUSES; AND FOR OTHER PURPOSES.

### Subtitle

TO REGULATE EVERGREEN CLAUSES OR AUTOMATIC RENEWALS IN CERTAIN LEASE AGREEMENTS.

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

*SECTION 1. Arkansas Code Title 4, Chapter 86, Subchapter 1, is amended to add an additional section to read as follows:*

*4-86-109. Automatic lease agreement renewal – Notice required.*

*(a) For purposes of this section, "automatic lease renewal" means a provision in a written lease of personal property that the lease is automatically renewed for an additional term at the end of the initial lease agreement term or at the end of any renewal lease term unless the lessee gives written notice to the lessor not to renew the lease agreement.*

*(b) Except as provided in subsection (c) of this section, a lessor of personal property under a written lease agreement that contains an automatic lease renewal shall provide to a lessee:*

*(1) Written notice of the automatic renewal at least thirty (30) days before the date the cancellation of the renewal of the lease agreement is due by the lessee;*

*(2) The identification of the lessor on communications between*



the lessee and lessor, including monthly statements;

(3) A copy of the original lease agreement on request; and

(4) The full purchase price, the interest rate for the lease, the monthly payment, and the total payoff amount for the personal property in the written lease agreement.

(c) If the lessor fails to provide the notice and information required under subsection (b) of this section, the automatic lease agreement renewal is voidable at the option of the lessee.

(d) This section does not apply to lease agreements with a term of less than one (1) year.

/s/Holland

**APPROVED: 04/18/2013**