

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 2047

5 By: Representative Carter
6

For An Act To Be Entitled

8 AN ACT TO ABOLISH THE COMMON-LAW DOCTRINE OF
9 NECESSARIES; AND FOR OTHER PURPOSES.

Subtitle

11 TO ABOLISH THE COMMON-LAW DOCTRINE OF
12 NECESSARIES.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Arkansas Code Title 9, Chapter 11, Subchapter 5 is amended
19 to add a new section to read as follows:

20 9-11-516. Doctrine of necessities – Abolished.

21 (a)(1) Absent express authority, neither a husband nor a wife is
22 liable for the other's debt obligations, including those for necessities.

23 (2) As used in this section, "necessaries" means all such things
24 required for the sustenance of a person, including food, clothing, medicine,
25 and habitation.

26 (b) The doctrine of necessities, as it is known in the common law, is
27 hereby abolished.
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