

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1814

By: Representative Love

For An Act To Be Entitled

AN ACT TO REFORM RESIDENTIAL EVICTION PROCEDURES BY
REPEALING THE STATUTE AUTHORIZING CRIMINAL PENALTIES
FOR FAILURE TO PAY RENT; AND FOR OTHER PURPOSES.

Subtitle

TO REFORM RESIDENTIAL EVICTION PROCEDURES
BY REPEALING THE STATUTE AUTHORIZING
CRIMINAL PENALTIES FOR FAILURE TO PAY
RENT.

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

SECTION 1. Arkansas Code § 18-16-101 is repealed.

~~18-16-101. Failure to pay rent—Refusal to vacate upon notice—
Penalty.~~

~~(a) Any person who shall rent any dwelling house or other building or
any land situated in the State of Arkansas and who shall refuse or fail to
pay the rent therefor when due according to contract shall at once forfeit
all right to longer occupy the dwelling house or other building or land.~~

~~(b)(1) If, after ten (10) days' notice in writing shall have been
given by the landlord or the landlord's agent or attorney to the tenant to
vacate the dwelling house or other building or land, the tenant shall
willfully refuse to vacate and surrender the possession of the premises to
the landlord or the landlord's agent or attorney, the tenant shall be guilty
of a misdemeanor.~~

~~(2) Upon conviction before any justice of the peace or other
court of competent jurisdiction in the county where the premises are~~



~~situated, the tenant shall be fined twenty five dollars (\$25.00) per day for each day that the tenant fails to vacate the premises.~~

~~(c)(1) Any tenant charged with refusal to vacate upon notice who enters a plea of not guilty to the charge of refusal to vacate upon notice and who continues to inhabit the premises after notice to vacate pursuant to subsection (b) of this section shall be required to deposit into the registry of the court a sum equal to the amount of rent due on the premises. The rental payments shall continue to be paid into the registry of the court during the pendency of the proceedings in accordance with the rental agreement between the landlord and the tenant, whether the agreement is written or oral.~~

~~(2)(A) If the tenant is found not guilty of refusal to vacate upon notice, the rental payments shall be returned to the tenant.~~

~~(B) If the tenant is found guilty of refusal to vacate upon notice, the rental payment paid into the registry of the court shall be paid over to the landlord by the court clerk.~~

~~(3) Any tenant who pleads guilty or nolo contendere to or is found guilty of refusal to vacate upon notice and has not paid the required rental payments into the registry of the court shall be guilty of a Class B misdemeanor.~~