

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/14/17

A Bill

HOUSE BILL 2102

By: Representative Lemons

For An Act To Be Entitled

AN ACT CONCERNING THE RESULTING LIABILITY UNDER A
WARRANTY DUE TO A BUSINESS NAME CHANGE; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING THE RESULTING LIABILITY UNDER
A WARRANTY DUE TO A BUSINESS NAME CHANGE.

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:

4-86-111. Liability – Warranty obligations.

(a) For purposes of this section, "person" means an individual, corporation, partnership, organization, or any other legal entity.

(b) A person operating a business in this state that issues a warranty, express or implied, shall not void the warranty or any obligations under the terms and conditions of the warranty by conducting a change in the name of the business or company.

(c) When a person operating in this state issues a warranty, express or implied, and then changes the name of the business or company that issued the warranty, then the warranty is enforceable against the new business or company if:

(1) The new business or company is incorporated or organized by the same individuals or principals as the original business or company; and

(2) The new business or company provides the same type of goods or services as the original business or company.



/s/Lemons