

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representative Dawson**

**A BILL ACT 860 OF 1991**  
**HOUSE BILL 1125**

**For An Act To Be Entitled**

8 "AN ACT TO AMEND TITLE 26, CHAPTER 26, SUBCHAPTERS TWO AND  
9 FOURTEEN TO PROVIDE THAT TAXABLE TANGIBLE PERSONAL  
10 PROPERTY INCLUDING NEWLY ACQUIRED PROPERTY BE ASSESSED  
11 THROUGH MAY 31 OF EACH YEAR; AND FOR OTHER PURPOSES."

12  
13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Arkansas Code §26-26-201 is hereby amended to read as  
16 follows:

17 "26-26-201. Delinquent assessments.

18 (a) (1) (A) There shall be a penalty of ten percent (10%) of all taxes  
19 due on all persons and property delinquent in assessment.

20 (B) Where the penalty of ten percent (10%) of the amount of  
21 all taxes due shall amount to less than one dollar (\$1.00), the penalty shall  
22 be arbitrarily fixed at one dollar (\$1.00).

23 (2) (A) All persons and property not listed for assessment with  
24 the assessor on or before May 31 of the year in which the assessment is  
25 required, as provided by this chapter, shall be deemed to be delinquent in  
26 assessment, and the assessor shall so designate it on his records that the  
27 clerk may know each item of property and all persons so delinquent.

28 (B) It shall be the duty of the clerk to affix and extend  
29 the penalty provided in this section against each item of property and all  
30 persons so delinquent.

31 (3) The penalty shall be collected by the county tax collector  
32 and shall be by him paid into the county general fund.

33 (b) Between January 1 and June 5 of each year, each county assessor  
34 shall file with the State Treasurer a sworn statement that he will comply with  
35 subsection (a) of this section. If a county assessor fails to file the  
36 statement by June 5, then the State Treasurer shall withhold county turnback

1 to that county until the statement is received by the State Treasurer.

2 (c) If the neglect is willful, the delinquent shall be deemed guilty of  
3 a misdemeanor and shall be fined in any sum not more than one thousand dollars  
4 (\$1,000).

5 (d)(1) In addition to the penalties for not assessing, delinquent  
6 persons shall be required to pay an additional fifty cents (\$0.50) for each  
7 list, which shall go to the assessor.

8 (2) This additional sum shall be collected by the tax collector  
9 in the usual manner."

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11 SECTION 2. Arkansas Code §26-26-1408 is hereby amended to read as  
12 follows:

13 "26-26-1408. Time for assessment and payment.

14 (a)(1) On and after January 1, 1991, taxpayers shall annually assess  
15 their tangible personal property for ad valorem taxes during the period from  
16 January 1 through May 31.

17 (2) Taxable tangible personal property of new residents and new  
18 businesses established between January 1 and May 31, and taxable tangible  
19 personal property acquired by residents during the period from January 1  
20 through May 31, except property acquired during the period of May 22 through  
21 May 31 shall be assessable without delinquency within ten (10) working days  
22 following the date of its acquisition. All taxable tangible personal property  
23 assessable during this period shall be assessed according to its market value  
24 as of the first day of January of the year of the assessment.

25 (3) The ten percent (10%) penalty for delinquent assessment shall  
26 not apply to property becoming eligible for assessment through May 31 if the  
27 property is assessed on or before May 31, except that the property acquired  
28 during the period of May 22 through May 31 shall be assessable without penalty  
29 within ten (10) working days following the date of its acquisition.

30 (4) Taxable tangible personal property of persons moving their  
31 residences from Arkansas, and taxable tangible personal property disposed of  
32 by residents and businesses, during the period between January 1 and May 31,  
33 if assessed for that year, shall be removed from the assessment rolls, and, if  
34 not assessed, shall not be deemed assessable for that year. Before removal of  
35 the tangible personal property from assessment rolls, it shall be the



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