

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.  
Act 1240 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

HOUSE BILL 2644

5 By: Representative Maloch  
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## For An Act To Be Entitled

9 AN ACT TO CLARIFY THE PROCEDURES FOR SALE AND  
10 CONVEYANCE OF COUNTY PROPERTY; AND FOR OTHER  
11 PURPOSES.  
12

## Subtitle

14 AN ACT TO CLARIFY THE PROCEDURES FOR  
15 SALE AND CONVEYANCE OF COUNTY PROPERTY.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 14-16-105(f), concerning procedures for  
21 sale and conveyance of county property, is amended to read as follows:

22 (f)(1)(A)(i) Any sale or conveyance of real or personal property  
23 belonging to any county not made pursuant to the terms of this section shall  
24 be null and void.

25 (ii) Any taxpayer of the county may, within two (2)  
26 years from the date a sale is consummated, bring an action to cancel the sale  
27 and to recover possession of the property sold.

28 (iii) This action for the use and benefit of the  
29 county is to be taken in the ~~chancery~~ circuit court of the county in which  
30 the sale is made or in any county where personal property so sold may be  
31 found.

32 (B) In the event the property is recovered for the county  
33 in the action, the purchaser shall not be entitled to a refund of the  
34 consideration paid by him for the sale.

35 (2) The procedures for sale and conveyance of county property



1 set forth in this section shall not apply in these instances:

2 (A) ~~Where~~ When personal property of the county is traded  
3 in on new or used equipment and credit approximating the fair market price of  
4 such personal property is given the county toward the purchase price of new  
5 equipment;

6 (B) ~~Where~~ When the sale of the personal property of the  
7 county involves the sale by the county of any materials separated, collected,  
8 recovered, or created by a recycling program authorized and operated by the  
9 county; ~~or~~

10 (C) ~~Where~~ When the county is conveying an easement,  
11 including, but not limited to, easements granted upon county lands for water  
12 improvements, sewer improvements, gas lines, electric lines, phone lines,  
13 utilities, railways, public roads, highways, and a conservation easement  
14 easements as described in § 15-20-401 et seq. for any of the purposes  
15 enumerated in § 15-20-401 et seq. as the same may be amended from time to  
16 time; ~~or~~

17 (D) When the county is leasing county property, including,  
18 but not limited to, leasing county lands or property under § 14-16-108, § 14-  
19 16-109, § 14-16-110, or the Municipalities and Counties Industrial  
20 Development Review Bond Law, § 14-164-201 et seq.

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23 APPROVED: 3/24/2005  
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