

# Hall of the House of Representatives

81st GENERAL ASSEMBLY  
Regular Session, 1997

## Amendment Form

Amendment No. \_\_\_\_\_ to HOUSE Bill No. 1414

Amend HOUSE Bill No. 1414 as originally introduced  
by

deleting line 4 on page 1 and substituting the following

"By: Representatives Beatty, Wilkinson, and Maddox"

AND

by deleting lines 8 through 10 on page 1 and substituting the following:

"\_AN ACT TO AMEND SECTION 7 OF ACT 903 OF 1997 RELATING TO LIENS OF MARINA OPERATORS FOR LEASED SPACE RENTAL AND RELATED CHARGES; AND FOR OTHER PURPOSES.\_"

AND

by deleting lines 14 through 18 on page 1 and substituting the following:

"\_TO AMEND SECTION 7 OF ACT 903 OF 1997 RELATING TO LIENS OF MARINA OPERATORS FOR LEASED SPACE RENTAL AND RELATED CHARGES.\_"

AND

by deleting SECTIONS 1 through 9 in their entirety and substituting the following:

"SECTION 1. Section 7 of Act 903 of 1997 is hereby amended to read as

**The Amendment was read**

Rep. Beatty  
*jmb:kt*  
am173

**Clerk.**

**Chief**

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follows:

Section 7. Disposition of sale proceeds.

~~(a) Proceeds from the sale shall be applied to satisfy the lien, and any surplus shall be disbursed as provided in subsection (b) of this section. paid, in order of priority:~~

(1) to satisfy all prior liens having priority over the marina operator s lien as set forth in Section 2 hereof;

(2) to satisfy the marina operator s lien; and

(3) to the occupant or other person or persons entitled thereto.

~~(b) If a sale is held under this subchapter, the marina operator shall distribute the sale proceeds pursuant to subsection (a) within ten (10) days following the sale.~~

~~(1) Satisfy the lien from the proceeds of the sale;~~

~~(2) Hold the balance, if any, for delivery on demand to the occupant or any other recorded lienholders. If demand is not made within two (2) years after the date of the sale, the surplus shall escheat to the county.~~

(c) Any funds remaining in the possession of the marina operator, after the exhaustion of reasonable efforts to locate and distribute the same to prior lienholders, the occupant or other persons entitled thereto, shall escheat to the county.

SECTION 2. All provisions of this act of a general and permanent nature

The Amendment was read

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are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed."

The Amendment was read

Rep. Beatty  
jmb:kt  
am173

Clerk.

Chief