

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 1332

"TO ALLOW A HOMESTEAD OWNER TO REDEEM HIS OR HER LAND IF HE OR SHE
DID NOT RECEIVE ACTUAL NOTICE OF THE SALE."

Amendment No. 2 to House Bill No. 1332.

Amend House Bill No. 1332 as engrossed, 3/20/03:

Delete all language after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 26, Chapter 37, Subchapter 2, is amended to add an additional section to read as follows:

26-37-214. Redemption of homestead by taxpayer.

If the taxpayer did not receive actual notice of the sale of his or her homestead, as defined under § 26-26-1118(b), by the Commissioner of State Lands, or his or her designee, by personal service of process at least sixty (60) days before the date of sale, then the taxpayer may redeem the tax-delinquent land by tendering all taxes, penalties, interests, and costs within thirty (30) days after the date of the sale.

SECTION 2. Arkansas Code § 26-37-301, regarding notice to the owner of tax-delinquent land, is amended to add an additional subsection to read as follows:

(e)(1) If the Commissioner of State Lands fails to receive proof that the notice sent by certified mail under this section was received by the owner of a homestead, as defined under § 26-26-1118(b), then the Commissioner of State Lands, or his or her designee, shall provide actual notice to the owner of a homestead, as defined under § 26-26-1118(b), by personal service of process at least sixty (60) days before the date of sale.

(2) For purposes of this subsection (e), “owner of a homestead” means every owner if the homestead is owned by joint tenants and either the husband or the wife if the homestead is owned by tenants by the entirety.

(3) The owner of a homestead shall pay for the additional cost of the notice by personal service of process under this subsection.

SECTION 3. When a homestead, as defined under § 26-26-1118(b), is certified to the Commissioner of State Lands, the county collector shall provide notice to the Commissioner of State Lands that the property is a homestead.”



SECTION 4. This act shall become effective on January 1, 2004.

The Amendment was read _____
By: Representative L. Prater
JSE/RCK - 032420031132
RCK786 _____ Chief Clerk