

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 2276

4
5 By: Representative Cleveland
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For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE 28-41-101 (b)(2)
10 CONCERNING COLLECTION OF SMALL ESTATES BY DISTRIBUTEES;
11 AND FOR OTHER PURPOSES."

Subtitle

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14 "AN ACT TO CONCERNING COLLECTION OF SMALL
15 ESTATES BY DISTRIBUTEES."
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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 28-41-101 (b)(2) is amended to read as
21 follows:

22 "(2)(A) If an estate collected under this section contains any
23 real property, the distributee, in order to allow for claims against the
24 estate to be presented, may, promptly after the affidavit has been filed,
25 cause a notice of decedent's death and the filing of an affidavit for
26 collecting of his or her estate to be published.

27 (B) The notice shall contain:

28 (i) The name of the decedent and his or her last
29 known address;

30 (ii) The date of death;

31 (iii) A statement that the affidavit was filed, the
32 date of the filing, and a legal description of all real property listed in the
33 affidavit;

34 (iv) A statement requiring all persons having claims
35 against the estate to exhibit them, properly verified, within ~~six (6)~~ three
36 (3) months from the date of the first publication of the notice, or they shall

1 be forever barred and precluded from any benefit in the estate;

2 (v) The name and mailing address of the distributee
3 or his attorney; and

4 (vi) The date the notice was first published.

5 (C) Publication of the notice shall be as provided in §§
6 28-1-112(b)(4) and 28-40-111(a)(4)."

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8 SECTION 2. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

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

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

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