

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Senators Bell and Harriman**

# A Bill

**ACT 406 OF 1995**  
**SENATE BILL 405**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 28-51-302 TO PERMIT ONLY  
9 ONE (1) APPRAISAL OF REAL PROPERTY BEFORE THE PERSONAL  
10 REPRESENTATIVE OF AN ESTATE CAN SELL THE PROPERTY; AND FOR  
11 OTHER PURPOSES."

## Subtitle

14 "TO PERMIT ONLY ONE (1) APPRAISAL OF  
15 REAL PROPERTY BEFORE THE PERSONAL  
16 REPRESENTATIVE OF AN ESTATE CAN SELL THE  
17 PROPERTY."

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code § 28-51-302 is amended to read as follows:

22 "28-51-302. Appraisal.

23 (a) Before a personal representative shall sell real property, he shall  
24 have it appraised by three (3) disinterested persons, selected by him, unless  
25 appointed by the court, who are well informed concerning the value of real  
26 property in the vicinity. Provided, unless there is an objection by a heir  
27 or beneficiary of the estate, the court may approve the appointment of one (1)  
28 appraiser to appraise the real property.

29 (b) The appraisers shall appraise the real property at its full and  
30 fair value and immediately deliver the appraisal certified by them under oath  
31 to the personal representative.

32 (c) The appraisal shall be filed with the clerk prior to the rendition  
33 of the order authorizing the sale.

34 (d) In connection with the hearing on the petition for the order of  
35 sale, or prior to the hearing, upon proper notice, the court, upon evidence  
36 heard, may approve, modify, or reject the appraisal."

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SECTION 2. All provisions of this act of general and permanent nature 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 provisions of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions 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 All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: 2-21-95

