

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.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 177 of 2003
SENATE BILL 153

5 By: Senators Wilkinson, Luker
6 By: Representatives Thyer, Verkamp, Walters
7

For An Act To Be Entitled

10 AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS
11 PROBATE CODE; AND FOR OTHER PURPOSES.

Subtitle

14 AN ACT TO AMEND VARIOUS SECTIONS OF THE
15 ARKANSAS PROBATE CODE.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas § Code 28-39-101(a)(1), concerning allowances to
21 surviving spouse and minor children, is amended as follows:

22 (a)(1) In addition to their homestead, dower, and curtesy right, the
23 surviving spouse and minor children of a decedent, or either in the absence
24 of the other, shall be entitled to have assigned to them out of the property
25 owned by the decedent at the time of his or her death, personal property,
26 tangible or intangible, to be selected prior to the sale thereof by the
27 personal representative or after sale out of the proceeds thereof, by the
28 surviving spouse, if there is a surviving spouse, or otherwise, by the
29 guardian of the minor children, when such personal property is of the value
30 of ~~two thousand dollars (\$2,000)~~ four thousand dollars (\$4,000) as against
31 distributees or the value of ~~one thousand dollars (\$1,000)~~ two thousand
32 dollars (\$2,000) as against creditors.
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34 SECTION 2. Arkansas Code § 28-39-101(c), concerning allowances to
35 surviving spouse and minor children, is amended as follows:

36 (c) During a period of two (2) months after the death of the decedent,



1 the surviving spouse and minor children, or either in the absence of the
2 other, shall be entitled to receive from the estate such reasonable amount,
3 not exceeding in the aggregate ~~five hundred dollars (\$500)~~ one thousand
4 dollars (\$1,000), as in the judgment of the court may be required for their
5 sustenance, in accordance with the usual living standards of the family.

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7 SECTION 3. Arkansas Code 28-51-301(c), concerning the sale, mortgage,
8 or lease of a decedent's property, is amended to read as follows:

9 (c) Upon the petition being filed, the court shall fix the time and
10 place for the hearing. Notice of the hearing stating the nature of the
11 application shall be given to such interested persons as the court may direct
12 in the manner provided in 28-1-112, unless the value of the interest to be
13 sold, mortgaged, or leased is not more than ~~one thousand five hundred dollars~~
14 ~~(\$1,500)~~ ten thousand dollars (\$10,000), in which case the court may, at its
15 discretion, hear the petition without notice.

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18 APPROVED: 2/19/2003
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