

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.

Act 1231 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/7/05

A Bill

HOUSE BILL 2458

5 By: Representative Mack
6 By: Senator Hill
7
8

For An Act To Be Entitled

10 AN ACT TO AMEND THE REQUIREMENTS FOR NOTICE,
11 PUBLICATION, AND PURCHASE OF TAX DELINQUENT
12 PROPERTY; AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO AMEND THE REQUIREMENTS FOR
15 NOTICE, PUBLICATION, AND PURCHASE OF TAX
16 DELINQUENT PROPERTY.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 26-37-104 is amended to read as follows:
23 26-37-104. Costs of notices.

24 (a) All costs of notice shall be added to the costs to be collected
25 from the purchaser or redeemer.

26 (b) Costs of notice shall include, but not be limited to, certified
27 mail costs, newspaper and catalog costs, and title work.
28

29 SECTION 2. Arkansas Code § 26-37-106, is amended to read as follows:
30 26-37-106. Recording of delinquent list.

31 (a)(1) The county collectors of this state shall cause a list of the
32 delinquent lands in their respective counties, as corrected by them, to be
33 entered in a permanent record appropriately labeled.

34 (2) It shall be a permanent public record, and open to the
35 inspection of the public at all times.



1 (b) The county clerk shall certify that the total amount of delinquent
2 lands in this permanent record is equal to the credit allowed the collector
3 for delinquent lands on the current tax settlement.

4 ~~(c)(1) The list of delinquent lands recorded as provided in this~~
5 ~~section shall have attached thereto, by the county collector, a certificate~~
6 ~~stating in what newspaper the notice of delinquent land was published and the~~
7 ~~dates of publication.~~

8 ~~(2) The record, so certified, shall be evidence of the facts~~
9 ~~contained in the list and certificate.~~

10
11 SECTION 3. Arkansas Code § 26-37-201(b)(3), concerning publication of
12 notice of tax-delinquency, is amended to read as follows:

13 (3)(A) Contain the name of the owner, the legal description, and
14 parcel number of the land.

15 (B) A part or abbreviated legal description shall be
16 sufficient in the notice if the name of the owner and parcel number are
17 listed;

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19 SECTION 4. Arkansas Code § 26-37-203(b)(3), concerning conveyance of
20 tax-delinquent land, is amended to read as follows:

21 (3) An action to challenge the conveyance to a purchaser of a
22 ~~subdivided lot~~ land that was sold at a negotiated sale under ~~§ 26-37-202(b)~~
23 § 26-37-101 shall be brought within ninety (90) days after the date of the
24 conveyance or thereafter be barred.

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26 SECTION 5. Arkansas Code § 26-37-209(a)(2), concerning compensation
27 for improvement on tax-delinquent land purchased amended to read as follows:

28 (2) No purchaser of a ~~subdivided lot~~ land that was sold at a
29 negotiated sale under ~~§ 26-37-202(b)~~ § 26-37-101 shall be entitled to any
30 compensation for any improvements that he or she makes to the lot within
31 ninety (90) days after the date of the sale.

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33 SECTION 6. Arkansas Code § 26-37-301(c), concerning notice to an owner
34 of tax-delinquent land is amended to read as follows:

35 (c) For the purposes of this section, the terms "owner" and
36 "interested party" shall mean any person, firm, corporation, or partnership

1 holding title to or interest in the property by virtue of a bona fide
2 recorded instrument at the time of certification to the Commissioner of State
3 Lands.

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/s/ Mack

APPROVED: 3/24/2005

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