

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 421 of the Regular Session

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

HOUSE BILL 1841

5 By: Representative Maloch  
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## For An Act To Be Entitled

9 AN ACT TO CLARIFY THAT A NONPRODUCING MINERAL  
10 INTEREST HAS NO DISCERNABLE VALUE APART FROM THE  
11 VALUE OF THE FEE SIMPLE IN THE LAND FOR THE  
12 PURPOSE OF ASSESSMENT; AND OTHER PURPOSES.  
13

## Subtitle

14 TO CLARIFY THAT A NONPRODUCING MINERAL  
15 INTEREST HAS NO DISCERNABLE VALUE APART  
16 FROM THE VALUE OF THE FEE SIMPLE IN THE  
17 LAND FOR THE PURPOSE OF ASSESSMENT.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 26-26-1110, concerning the value of  
24 nonproducing mineral rights, is amended to add an additional subsection to  
25 read as follows:

26 (c)(1) Because of the difficulty of ascertaining the value of a  
27 nonproducing mineral right and in order to insure equal and uniform taxation  
28 throughout the State, a nonproducing mineral right has zero (0) value for the  
29 purpose of property tax assessment, and is included in the value of the fee  
30 simple interest assessed.

31 (2) If the fee simple in the land and the nonproducing mineral  
32 right that has zero (0) value as determined under subdivision (c)(1) of this  
33 section are owned by different persons, there is no property tax due on the  
34 mineral right.

35 (3) For a nonproducing mineral right that has zero (0) value as



1 determined under subdivision (c)(1) of this section, the mineral right owner  
2 may agree to a voluntary property tax assessment of the mineral right and pay  
3 a property tax according to rules established by the Assessment Coordination  
4 Division with the assistance of the Arkansas Assessors Association.

5 (4) When a nonproducing mineral right begins producing minerals,  
6 the mineral right shall be assessed for tax purposes in accordance with rules  
7 established by the Assessment Coordination Division.

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9 SECTION 2. Effective date. Section 1 of this act is effective for the  
10 assessment year 2009 and thereafter.

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12 **APPROVED: 3/13/2009**  
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