

Hall of the House of Representatives

91st General Assembly - Regular Session, 2017

Amendment Form

Subtitle of House Bill No. 1382

TO ESTABLISH PROCEDURES TO BE FOLLOWED AFTER A CLAIM IS FILED AGAINST A SMALL ESTATE.

Amendment No. 1 to House Bill No. 1382

Amend House Bill No. 1382 as originally introduced:

Page 1, delete lines 8 through 10, and substitute the following:

"AN ACT TO AMEND THE LAW CONCERNING THE COLLECTION OF A SMALL ESTATE BY A DISTRIBUTEE; TO ESTABLISH PROCEDURES TO BE FOLLOWED AFTER A CLAIM IS FILED AGAINST A SMALL ESTATE; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 14 through 16, and substitute the following:

"TO AMEND THE LAW CONCERNING THE COLLECTION OF A SMALL ESTATE BY A DISTRIBUTEE; AND TO ESTABLISH PROCEDURES TO BE FOLLOWED AFTER A CLAIM IS FILED AGAINST A SMALL ESTATE."

AND

Page 1, delete line 21, and substitute the following:

"SECTION 1. Arkansas Code § 28-41-102(d), concerning the requirements of a distributee after an affidavit is filed and notice published, is amended to read as follows:

(d) ~~After filing the affidavit and publishing the notice required by~~
If the distributee who is entitled to the transfer or delivery of real property complies with the affidavit and notice requirements under § 28-41-101, the three-month period required under § 28-41-101 lapses, and a claim is not filed against the estate or all claims filed against the estate are satisfied, then the distributee entitled to the transfer or delivery of real property shall:

(1) Be authorized to issue to himself or herself a deed of distribution for the real property of the decedent as if made by a personal representative of the decedent; and

(2) Deliver notice of the transfer of ownership to the county assessor of each county where the real property is located.

SECTION 2. Arkansas Code § 28-41-102, concerning payment, transfers,"



AND

Page 1, line 28, delete "within thirty (30) days of receiving notice of the claim."

AND

Page 1, delete lines 30 through 32, and substitute the following:
"(e)(1) of this section if the claim against the estate is satisfied with funds from outside of the estate."

The Amendment was read _____

By: Representative Gazaway

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Chief Clerk