

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 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1006

5 By: Representative Cheatham
6

For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING SALES OF REAL
9 PROPERTY UNDER JUDICIAL DECREES; DECLARING AN
10 EMERGENCY; AND FOR OTHER PURPOSES.
11

Subtitle

12 TO AMEND ARKANSAS LAW CONCERNING SALES OF
13 REAL PROPERTY UNDER JUDICIAL DECREES AND
14 DECLARING AN EMERGENCY.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 21-6-412 is amended to read as follows:

21 21-6-412. Commissioners to sell property.

22 (a)(1) Commissioners appointed to make sales of real property under
23 judicial decrees shall be allowed the following fees as compensation for such
24 services:
25

26 On sales for \$ 1.00 to \$ 500 \$10.00

27 On sales for 500 to 2,500 15.00

28 On sales for 2,500 to 5,000 20.00

29 On sales for 5,000 to 10,000 25.00

30 On sales for 10,000 to 20,000 30.00

31 On sales for 20,000 to 35,000 35.00

32 On sales for 35,000 or more, one-tenth of one percent (0.1%).

33 (2) Commissioners appointed to make sales of personal property
34 under judicial decrees shall be allowed as compensation for such services the
35 fee prescribed by the judge of the court that issued the decree.

36 (b) In lieu of the fees provided for in this section, the court may



1 set reasonable fees for commissioners based upon services rendered on sales
2 under thirty-five thousand dollars (\$35,000).

3 (c) An elected official shall not be appointed as a commissioner under
4 this section.

5
6 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
7 General Assembly of the State of Arkansas that Arkansas Code § 21-6-412 has
8 resulted in inequitable compensation for certain elected officials and that
9 this act should become effective as soon as possible to stop these
10 inequitable payments. Therefore, an emergency is declared to exist and this
11 act being immediately necessary for the preservation of the public peace,
12 health, and safety shall become effective on:

13 (1) The date of its approval by the Governor;

14 (2) If the bill is neither approved nor vetoed by the Governor,
15 the expiration of the period of time during which the Governor may veto the
16 bill; or

17 (3) If the bill is vetoed by the Governor and the veto is
18 overridden, the date the last house overrides the veto.

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