

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

As Engrossed: H1/25/11 H2/7/11

A Bill

HOUSE BILL 1006

5 By: Representatives Cheatham, Baird, T. Bradford, Clemmer, English, Hall, Hammer, Hickerson, Kerr,
6 Lindsey, Nickels, Pennartz, Perry, J. Roebuck, G. Smith, Stewart, Summers, T. Thompson, Wardlaw,
7 Webb, Westerman
8 By: Senator J. Jeffress
9

For An Act To Be Entitled

11 AN ACT TO AMEND ARKANSAS LAW CONCERNING SALES OF REAL
12 PROPERTY UNDER JUDICIAL DECREES; DECLARING AN
13 EMERGENCY; AND FOR OTHER PURPOSES.
14

Subtitle

15 TO AMEND ARKANSAS LAW CONCERNING SALES OF
16 REAL PROPERTY UNDER JUDICIAL DECREES AND
17 DECLARING AN EMERGENCY.
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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 § 21-6-412 is amended to read as follows:
24 21-6-412. Commissioners to sell property.

25 (a)(1) Commissioners appointed to make sales of real property under
26 judicial decrees shall be allowed the following fees as compensation for such
27 services:
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29	On sales for	\$ 1.00	to	\$ 500	\$10.00
30	On sales for	500	to	2,500	15.00
31	On sales for	2,500	to	5,000	20.00
32	On sales for	5,000	to	10,000	25.00
33	On sales for	10,000	to	20,000	30.00
34	On sales for	20,000	to	35,000	35.00
35	On sales for	35,000 or more, one-tenth of one percent (0.1%).			

36 (2) Commissioners appointed to make sales of personal property



1 under judicial decrees shall be allowed as compensation for such services the
2 fee prescribed by the judge of the court that issued the decree.

3 (b) In lieu of the fees provided for in this section, the court may
4 set reasonable fees for commissioners based upon services rendered on sales
5 under thirty-five thousand dollars (\$35,000).

6 (c)(1) If a circuit clerk is appointed as commissioner for a sale of
7 real or personal property under judicial decree, the fee awarded to the
8 circuit clerk under this section shall be paid to the general fund of the
9 county that the circuit clerk was elected to represent.

10 (2) If an employee of a circuit clerk is appointed as
11 commissioner for a sale of real or personal property under judicial decree,
12 the fee awarded to the employee under this section shall be paid to the
13 general fund of the county that the circuit clerk was elected to represent.

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

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

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

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

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29 /s/Cheatham
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