

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

SENATE BILL 194

5 By: Senator D. Johnson  
6 By: Representatives Vines, Williams  
7

## For An Act To Be Entitled

8  
9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 28 OF  
10 THE ARKANSAS CODE CONCERNING WILLS, ESTATES, AND  
11 FIDUCIARY RELATIONSHIPS; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14  
15 TO MAKE TECHNICAL CORRECTIONS TO TITLE 28  
16 OF THE ARKANSAS CODE CONCERNING WILLS,  
17 ESTATES, AND FIDUCIARY RELATIONSHIPS.  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. Arkansas Code § 28-48-102(b), concerning the form to be  
23 used for letters of administration issued by a court, is amended to read as  
24 follows to correct an obsolete reference:

25 (b) The letters shall be in substantially the following form:  
26

27 In the ~~Probate~~ Circuit Court of ..... County, Arkansas.  
28 In the Matter of the Estate of C.D., deceased.  
29 No. ....  
30

### Letters of Administration (Testamentary)

31  
32 Be it known that A.B., whose address is .....,  
33 having been duly appointed administrator of the estate (executor of the will)  
34 of C.D., deceased, who died on or about ....., 20....., and having  
35 qualified as such administrator (executor) is hereby authorized to act as  
36 such administrator (executor) for and in behalf of the estate and to take



1 possession of the property thereof as authorized by law.

2 Issued this .....day of ....., 20.....

3

4 .....

5 Clerk.

6 (Seal)

7

8 SECTION 2. Arkansas Code § 28-65-203(b), concerning the qualifications  
9 to be a guardian, is amended to clarify the wording:

10 (b) However, notwithstanding ~~the provisions in~~ subsection (a) of this  
11 section, a natural person who is a resident of this state, eighteen (18)  
12 years of age or older, of sound mind, and a convicted and unparoled felon  
13 whose home has been opened under § 9-28-409 either as a foster home or as an  
14 adoptive home is qualified to be a guardian of the person or estate of a  
15 minor in the custody of the Department of Human Services ~~if under § 9-28-409~~  
16 ~~the person:~~

17 ~~(1) That person's home has been opened as a foster home; or~~

18 ~~(2) That person's home has been opened as an adoptive home.~~

19

20 SECTION 3. Arkansas Code § 28-69-206, is amended to read as follows to  
21 correct grammatical errors and to remove a reference to the abolished Federal  
22 Savings and Loan Insurance Corporation:

23 28-69-206. Deposit of funds – Collateral for uninsured deposit.

24 An Arkansas-chartered bank or savings and loan association ~~which~~ that holds  
25 as trustee funds awaiting investment or distribution, if not prohibited by  
26 the instrument or judgment creating the trust, may deposit the funds in the  
27 commercial department of the bank or savings and loan association. However,  
28 if the amount of the deposit exceeds the Federal Deposit Insurance  
29 Corporation ~~or Federal Savings and Loan Insurance Corporation~~ insurance  
30 coverage, the bank or savings and loan association shall pledge, as security  
31 for the payment of the deposit, bonds constituting general obligations of the  
32 United States or the State of Arkansas of a market value not less than the  
33 uninsured portion of the deposit.

34

35 SECTION 4. DO NOT CODIFY. The enactment and adoption of this act  
36 shall not repeal, expressly or impliedly, the acts passed at the regular

1 session of the Eighty-Ninth General Assembly. All such acts shall have the  
2 full force and effect and, so far as those acts intentionally vary from or  
3 conflict with any provision contained in this act, those acts shall have the  
4 effect of subsequent acts and as amending or repealing the appropriate parts  
5 of the Arkansas Code of 1987.

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