

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015

A Bill

SENATE BILL 1016

4
5 By: Senator Hester

For An Act To Be Entitled

8 AN ACT CONCERNING JUDICIAL, NONJUDICIAL, AND TAX
9 SALES; TO REGULATE ABANDONED PERSONAL PROPERTY; AND
10 FOR OTHER PURPOSES.

Subtitle

14 CONCERNING JUDICIAL, NONJUDICIAL, AND TAX
15 SALES; AND TO REGULATE ABANDONED PERSONAL
16 PROPERTY.

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code Title 18, Chapter 27, Subchapter 1, is
22 amended to add an additional section to read as follows:

23 18-27-103. Abandonment of personal property.

24 (a) Upon the purchase of land at a judicial sale, non-judicial
25 foreclosure sale, or a tax sale, all personal property remaining on the land
26 or in any structure on the land shall be considered to have been abandoned
27 if:

28 (1) The owner of the personal property has received notice of
29 the sale of the land and has neither removed the personal property nor
30 notified the purchaser in writing of the owner's claim to the personal
31 property within fourteen (14) days of the sale; or

32 (2)(A) After the sale, the purchaser has posted notice of the
33 sale of the land conspicuously on the land and the owner of the personal
34 property has not:

35 (i) Removed the personal property; or

36 (ii) Notified the purchaser in writing of the



1 owner's claim to the personal property within fourteen (14) days of the
2 posting of the notice.

3 (B) The notice shall be dated and contain a statement that
4 informs the owner of the personal property that all personal property not
5 removed or claimed within the fourteen (14) days of the posting date period
6 shall be considered abandoned.

7 (b)(1) If the owner of the personal property does not remove the
8 personal property within fourteen (14) days, but merely gives the purchaser
9 written notice of the owner claim, the purchaser may remove and store the
10 personal property at the owner's expense.

11 (2)(A) The personal property shall be stored for no more than
12 thirty (30) days at the owner's expense.

13 (B) If the owner of the personal property does not take
14 possession of the personal property and pay the reasonable expense of storage
15 within the thirty (30) days, the personal property shall be considered
16 abandoned.

17 (c) A purchaser of land that disposes of personal property that is
18 considered abandoned under this section is not subject to liability or suit.

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