

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

HOUSE BILL 1609

4
5 By: Representative Gazaway

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE TERMINATION OF
9 A GUARDIANSHIP FOLLOWING THE DEATH OF A WARD OF A
10 PUBLIC GUARDIAN FOR ADULTS; AND FOR OTHER PURPOSES.

Subtitle

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13 TO AMEND THE LAW CONCERNING THE
14 TERMINATION OF A GUARDIANSHIP FOLLOWING
15 THE DEATH OF A WARD OF A PUBLIC GUARDIAN
16 FOR ADULTS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code § 28-65-706(d)(4), concerning the termination
23 of guardianships, is amended to read as follows:

24 (4)(A) Direct delivery of the funds of the deceased ward to the
25 appropriate person. ~~or, if no appropriate person is available, to the~~
26 ~~registry of the court pursuant to the Arkansas Rules of Civil Procedure; and~~

27 (B) If an appropriate person is unavailable, the funds of
28 the deceased ward shall be distributed as follows:

29 (i) If after a period of one (1) calendar year a
30 claim has not been filed by an heir or creditor against the remaining assets
31 of the deceased ward, the funds of the deceased ward shall be placed in the
32 registry of the court pursuant to the Arkansas Rules of Civil Procedure; or

33 (ii) If a balance remains following claims against
34 the estate under subdivision (d)(4)(B)(i) of this section, the county clerk
35 shall deliver the residue to the Treasurer of State; and
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