

Hall of the House of Representatives
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of House Bill No. 2147

"TO SET OUT THE PROCEDURE FOR EQUALIZATION BOARDS TO FOLLOW WHEN
CHANGING PROPERTY VALUES IN A YEAR WHEN A COUNTY IS NOT COMPLETING
REAPPRAISAL."

Amendment No. 1 to House Bill No. 2147.

Amend House Bill No. 2147 as originally introduced:

Page 1, delete all the language after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 26, Chapter 27, Subchapter 3 is amended to add an additional section to read as follows:

26-27-322. Change in market value – Board procedure.

(a) The purpose of this section is to:

(1) Set out the procedure for a county equalization board to follow when changing real property values in a year when a county is not completing reappraisal; and

(2) Require the county equalization board to consult with the Assessment Coordination Department to utilize data compiled under the department's sales ratio study.

(b) If in the judgment of the county equalization board or the county judge based upon current economic conditions a number of real estate parcels in a county may have decreased in market value since the last countywide reappraisal, then the county equalization board may by its motion or the county judge may petition for the county equalization board to enter into a special session to determine what action is needed under this section to address the decrease in market value.

(c) The county equalization board shall not take action as proposed in the special session under subsection (b) of this section until the county equalization board has:

(1) Consulted the county assessor on the proposed action in the special session;

(2) Consulted the department on the proposed action in the special session; and

(3) Analyzed the current real estate market in the county.

(d) The board may employ a professional appraisal manager to analyze the current real estate market in the county to fulfill its obligation under



subdivision (c)(2) of this section.

(e) If the board determines in the special session that action is needed under this section, the board shall adjust market values of real estate in the county under the methodology established by the rules of the department.

(f) The Assessment Coordination Department shall promulgate rules to:

(1) Set out the procedure for a county equalization board to make a determination whether action is needed under this section; and

(2) Establish the methodology to be used when adjusting the market values of real property.

(g) If the county equalization board fails to follow the methodology to adjust real estate values as set out in the Assessment Coordination Department's rules, the county equalization board shall be subject to withholding of funds from the Arkansas Real Property Reappraisal Fund under § 26-26-1907.

(h) A special session convened under this section is subject to the procedures for a special session of the county equalization board under § 26-27-312.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that several counties in the state are considering changing real estate values during a year the counties are not scheduled to complete reappraisal; that county equalization boards are empowered to make such changes; that county equalization boards have no guidance in the law on when to take action or the type of action that is appropriate under these circumstances. Without proper guidance, county equalization boards face the risk of unintentionally putting the county in noncompliance. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

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

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

The Amendment was read _____

By: Representative Lovell

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Chief Clerk