

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

DRAFT CLR/KFW
SENATE BILL

By: Senator <NA>

For An Act To Be Entitled

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

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 28
OF THE ARKANSAS CODE CONCERNING WILLS,
ESTATES, AND FIDUCIARY RELATIONSHIPS.

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

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

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

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

Letters of Administration (Testamentary)

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

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1 Issued thisday of, 20.....

2
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4 Clerk.

5 (Seal)

6
7 SECTION 2. Arkansas Code § 28-65-203(b), concerning the qualifications
8 to be a guardian, is amended to clarify the wording:

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

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

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

18
19 SECTION 3. Arkansas Code § 28-69-206, is amended to read as follows to
20 correct grammatical errors and to remove a reference to the abolished Federal
21 Savings and Loan Insurance Corporation:

22 28-69-206. Deposit of funds – Collateral for uninsured deposit.
23 An Arkansas-chartered bank or savings and loan association ~~which~~ that holds
24 as trustee funds awaiting investment or distribution, if not prohibited by
25 the instrument or judgment creating the trust, may deposit the funds in the
26 commercial department of the bank or savings and loan association. However,
27 if the amount of the deposit exceeds the Federal Deposit Insurance
28 Corporation ~~or Federal Savings and Loan Insurance Corporation~~ insurance
29 coverage, the bank or savings and loan association shall pledge, as security
30 for the payment of the deposit, bonds constituting general obligations of the
31 United States or the State of Arkansas of a market value not less than the
32 uninsured portion of the deposit.

33
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.