

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1870

By: Representative Beatty

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE §28-50-101, TO PROVIDE FOR A SIX (6) MONTH LIMITATION FOR PRESENTATION OF CLAIMS AGAINST AN ESTATE BASED ON INJURY OR DEATH CAUSED BY THE NEGLIGENCE OF THE DECEDENT; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 28-50-101(a) is hereby amended to read as follows:

"(a) Statute of Nonclaim. Except as provided in §§ 28-50-102 and 28-50-110, all claims against a decedent's estate, other than expenses of administration and claims of the United States which, under valid laws of the United States, are not barrable by a statute of nonclaim, but including claims of a state or territory of the United States and any subdivision thereof, whether due or to become due, absolute or contingent, liquidated or unliquidated, founded on contract or otherwise, shall be forever barred as against the estate, the personal representative, or the heirs and devisees of the decedent, unless verified to the personal representative or filed with the court within three (3) months after the date of the first publication of notice to creditors; provided, however, that claims for injury or death caused by the negligence of the decedent shall be verified to the personal representative or filed with the court within six (6) months after date of first publication of notice to creditors."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are

hereby repealed.