

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

275

By: Senator Gordon

For An Act To Be Entitled

"AN ACT TO PROVIDE THAT DEEDS ISSUED BY THE LAND COMMISSIONER AFTER JANUARY 1, 1987, ARE NEITHER VOID NOR VOIDABLE ON THE GROUND THAT PROPERTY TAX ASSESSMENTS ON SEVERED MINERAL INTERESTS WERE NOT SUBJOINED TO THE PROPERTY TAX ASSESSMENTS ON THE SURFACE REALTY; AND FOR OTHER PURPOSES."

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

SECTION 1. No deed issued after January 1, 1987 by the Commissioner of State Lands is void or voidable on the ground that the assessment of the property taxes on the severed mineral interests was not subjoined to the assessment of property taxes on the surface realty.

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 All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. Emergency. It is hereby found and determined by the General Assembly that the Arkansas Supreme Court has voided tax deeds in instances where the assessment of property taxes on mineral interests were not subjoined to the fee assessment; that such holding has placed a cloud on some tax deeds issued by the State Land Commissioner; that the present method whereby the State Land Commissioner disposes of tax delinquent property is designed to give good title to the purchaser at the Commissioner's sale; that deeds which have been or will be issued by the Commissioner under the present procedure should not be subject to this cloud; and that this Act should satisfy

purchasers of tax delinquent property that their deeds will not be invalidated simply because the assessment on severed mineral interests was not subjoined to the assessment of the surface realty. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.