

State of Arkansas

77th General Assembly                      A Bill

HOUSE BILL

Third Extraordinary Session, 1989

CALL ITEM 93                      1031

By: Representative J. Miller

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 14-90-911(d) AND 14-86-1403 TO PROVIDE THAT THE NOTICE TO LANDOWNERS OF THE SALE OR FILING OF SUIT TO SELL LANDS FOR NONPAYMENT OF IMPROVEMENT DISTRICT TAXES SHALL BE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 14-90-911(d) is hereby amended to read as follows:

"(d) Twenty (20) days prior to the filing of the complaint, the board shall cause to be mailed, by certified mail with return receipt requested, to each record owner as listed by the abstractor, a notice describing the delinquent property, specifying the year of delinquency and the amount or the approximate amount necessary for redemption, and informing the owner as to the date on which the suit will be filed."

SECTION 2. Arkansas Code 14-86-1403 is hereby amended to read as follows:

"14-86-1403. Notice required.

At least twenty (20) days prior to selling or filing suit to sell any lands for nonpayment of improvement district assessments, the person charged with making the sale or filing the suit shall mail, by certified mail, return receipt requested, to the owner of the lands at his last known address a notice:

- (1) Describing the delinquent lands;
- (2) Specifying the year of delinquency;
- (3) Stating the amount necessary for redemption; and
- (4) Advising the owner that he may redeem the lands at any time within

twenty (20) days of the date the notice is mailed."

SECTION 3. 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 4. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that present law requiring notice of sale or filing of suit for sale of lands for nonpayment of improvement district taxes to be by registered mail results in excessive costs; that the same purpose can be served by such notice being sent by certified mail with return receipt requested and that this would substantially reduce the cost of sending such notice; that this act is designed to require such notice to be by certified mail and should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being 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.