

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Capps**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED SECTIONS 27-14-
9 805 (b) AND 27-14-806 (b); AND FOR OTHER PURPOSES."

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

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13 SECTION 1. Arkansas Code of 1987 Annotated §27-14-805(b) is hereby
14 amended to read as follows:

15 "(b) (1) In the event the documents referred to in 27-14-802 are
16 received and filed in the office within thirty (30) days after the date the
17 documents were executed, the lien is deemed to have been perfected on the date
18 of the execution of the documents.

19 (2) Otherwise, constructive notice shall date from the time of receipt
20 and filing of the documents by the office as shown by its endorsement
21 thereon."

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23 SECTION 2. Arkansas Code of 1987 Annotated §27-14-806(b) is hereby
24 amended to read as follows:

25 "(b) The lien shall be deemed perfected and the constructive notice
26 shall be effective from the date of the execution of the instrument creating
27 and evidencing the lien or encumbrance if it is filed as authorized in this
28 section within thirty (30) days after the date of the execution thereof. If
29 the instrument is filed more than thirty (30) days after the date of the
30 execution thereof, the lien shall be deemed perfected and the constructive
31 notice shall date from the time of the filing of the instrument. However, the
32 filing of a lien under the provisions of this section by the lienholder and
33 the payment of the fee therefor shall in no way relieve any person of the
34 obligation of paying the fee required by law for filing a lien to be evidenced
35 on a certificate of title of a motor vehicle."

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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. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this Act are hereby repealed.