

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 405

4 By: Senators Bell and Harriman

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 28-51-302 TO PERMIT ONLY
9 ONE (1) APPRAISAL OF REAL PROPERTY BEFORE THE PERSONAL
10 REPRESENTATIVE OF AN ESTATE CAN SELL THE PROPERTY; AND FOR
11 OTHER PURPOSES."

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Subtitle

14 "TO PERMIT ONLY ONE (1) APPRAISAL OF
15 REAL PROPERTY BEFORE THE PERSONAL
16 REPRESENTATIVE OF AN ESTATE CAN SELL THE
17 PROPERTY."

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

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21 SECTION 1. Arkansas Code § 28-51-302 is amended to read as follows:

22 "28-51-302. Appraisal.

23 (a) Before a personal representative shall sell real property, he
24 shall have it appraised by three (3) disinterested persons, selected by him,
25 unless appointed by the court, who are well informed concerning the value of
26 real property in the vicinity. Provided, unless there is an objection by a
27 heir or beneficiary of the estate, the court may approve the appointment of
28 one (1) appraiser to appraise the real property.

29 (b) The appraisers shall appraise the real property at its full and
30 fair value and immediately deliver the appraisal certified by them under oath
31 to the personal representative.

32 (c) The appraisal shall be filed with the clerk prior to the rendition
33 of the order authorizing the sale.

34 (d) In connection with the hearing on the petition for the order of
35 sale, or prior to the hearing, upon proper notice, the court, upon evidence

1 heard, may approve, modify, or reject the appraisal."

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

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7 SECTION 3. If any provisions of this act or the application thereof to
8 any person or circumstance is held invalid, the invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provisions or application, and to this end the provisions of this
11 act are declared to be severable.

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

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