

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

SENATE BILL 250

4
5 By: Senator Harriman

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 22-6-601 PERTAINING TO SALE
10 OF STATE LANDS; AND FOR OTHER PURPOSES."

Subtitle

13 "TO AMEND ARKANSAS CODE 22-6-601
14 PERTAINING TO SALE OF STATE LANDS."

15
16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

17
18 SECTION 1. Arkansas Code 22-6-601(c) is amended to read as follows:

19 "(c)(1) In the event a state agency elects to sell certain of its
20 lands, the agency shall certify to State Building Services its proposal for
21 any sale.

22 (2) ~~The Director of State Building Services~~ state agency proposing
23 the sale of land shall obtain the services of a qualified appraiser to
24 appraise the lands so proposed to be sold, with notice to the ~~agency~~ Director
25 of State Building Services.

26 (A) The appraiser selected by the ~~Director of State Building Services~~
27 state agency, by education or experience, shall:

28 (i) Be capable of determining the value of lands, water and mineral
29 rights, timber, and rural, agricultural, and noncultivable lands;

30 (ii) Understand legal descriptions of real properties;

31 (iii) Have a working knowledge of county and state real property
32 records; and

33 (iv) Be capable of rendering dependable judgments of the values of
34 properties, determining the flood plains of the properties, and of previous
35 uses of the properties which may result in environmental remediation.

36 (B) The appraiser ~~should be a certified member of the American~~

1 ~~Institute of Real Estate Appraisers~~ shall be licensed and certified by the
 2 Arkansas Appraiser Licensing and Certification Board.

3 (C) The appraiser shall take an oath or certify that he will not,
 4 directly or indirectly, be engaged in the purchase of the land or give
 5 information to any agent, friend, secret partner, or other partner so as to
 6 secure advantages of such information to himself or any person, association,
 7 or company to the prejudice or exclusion of any other person."

8

9 SECTION 2. Arkansas Code 22-6-601(d) is amended to read as follows:

10 "(d)(1) The Director of State Building Services shall furnish to the
 11 Governor:

12 (A) The appraisal;

13 (B) The agency proposal to sell; and

14 (C) State Building Services' recommendations.

15 (2) The Governor, if he approves the proposed sale, shall endorse his
 16 approval of the proposal and transmit a copy of the proposal to the
 17 ~~Construction Administrator~~ Director of State Building Services."

18

19 SECTION 3. Arkansas Code 22-6-601(e) is amended to read as follows:

20 "(e)(1) ~~The Construction Administrator~~ of State Building Services shall
 21 give notice of the terms of the sale by publication in one (1) newspaper
 22 regularly published in Little Rock, Arkansas, and having a general circulation
 23 in the State of Arkansas, by four (4) weekly insertions therein.

24 (2) If there is a newspaper published in the county in which the lands
 25 are located having a general circulation therein, the notice shall also be
 26 published in that newspaper one (1) time a week for four (4) consecutive
 27 weeks, provided the land may be advertised for sale as a whole or in separate
 28 tracts."

29

30 SECTION 4. Arkansas code 22-6-601(i) is amended to read as follows:

31 "(i)(1) Upon receipt from the successful bidder of the full amount of
 32 his bid, the state agency shall execute and deliver its deed conveying the
 33 lands to him and shall certify a copy of the deed to the Governor.

34 (2) The deed shall recite in detail the compliance with the respective
 35 provisions of this section, which recitals shall be prima facie evidence of
 36 the facts so set forth.

1 (3) The deed need not be acknowledged to entitle it to be recorded.

2 (4) The effect of the deed, the provisions of this section having been
3 substantially complied with in the sale, shall be to vest the purchaser with
4 the title of the lands, at law and in equity, in fee simple absolute.

5 (5) Any conveyance of title to lands owned by the State of Arkansas
6 shall be subject to § 22-6-113."

7

8 SECTION 5. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

11

12 SECTION 6. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

17

18 SECTION 7. All laws and parts of laws in conflict with this act are
19 hereby repealed.

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35