

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

As Engrossed: H3/11/99

A Bill

HOUSE BILL 1588

4
5 By: Representative Prater
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7

For An Act To Be Entitled

9 "AN ACT TO PROVIDE THAT LANDS UPON WHICH AD VALOREM
10 PROPERTY TAXES HAVE NOT BEEN PAID SHALL BE FORFEITED
11 TO THE STATE OF ARKANSAS ONLY AT THE TIME THE
12 OWNERSHIP OF THE LANDS IS TRANSFERRED; TO REDUCE THE
13 INTEREST AND PENALTY RATES FOR DELINQUENT TAXES FROM
14 TEN PERCENT (10%) TO EIGHT PERCENT (8%); AND FOR OTHER
15 PURPOSES. "

Subtitle

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18 "TO PROVIDE THAT LAND UPON WHICH AD
19 VALOREM PROPERTY TAXES HAVE NOT BEEN
20 PAID SHALL BE FORFEITED WHEN OWNERSHIP
21 OF THE LAND IS TRANSFERRED; TO REDUCE
22 INTEREST AND PENALTY RATES FOR
23 DELINQUENT TAXES TO 8%. "

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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1(a). Any homestead upon which the taxes have not been paid for
29 one (1) year following the date the taxes were due shall be forfeited to the
30 State of Arkansas and transmitted by certification to the Commissioner of
31 State Lands for collection and sale only at the time the ownership of the land
32 is transferred.

33 (b) For purposes of this act, "homestead" means a dwelling owned by an
34 individual and used as his or her principal place of abode, including the
35 parcel of land on which the dwelling is situated and all lands contiguous
36 thereto, not to exceed 2 acres for lands located within a city and not to

1 exceed forty (40) acres for lands located outside a city.

2 (c) This provision shall only apply to individuals whose gross income,
3 as determined by the Arkansas Income Tax Act, beginning at § 26-51-101, does
4 not exceed thirty five thousand dollars (\$35,000) for each taxable year in
5 which the taxes on the land are delinquent.

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7 SECTION 2. Arkansas Code § 26-37-302 is amended to read as follows:
8 "26-37-302. Payment required.

9 (a) In order to redeem, whether with the county collector or the
10 Commissioner of State Lands, and in order to purchase at the Commissioner's
11 sale, the redeemer or purchaser of tax-delinquent land shall pay all
12 delinquent taxes, plus:

13 (1) ~~Ten~~ Eight percent ~~(10%)~~ (8%) simple interest for each year of
14 delinquency;

15 (2) ~~An ten~~ eight percent ~~(10%)~~ (8%) penalty for each year of the
16 delinquency; and

17 (3) The costs incurred by the county and the Commissioner of
18 State Lands.

19 (b) The penalties and interest shall accrue beginning on October 11 in
20 the year of delinquency."

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22 SECTION 3. The provisions of this act shall be effective on and after
23 January 1, 2000.

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25 SECTION 4. All provisions of this act of a general and permanent nature
26 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
27 Revision Commission shall incorporate the same in the Code.

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29 SECTION 5. If any provision of this act or the application thereof to
30 any person or circumstance is held invalid, such invalidity shall not affect
31 other provisions or applications of the act which can be given effect without
32 the invalid provision or application, and to this end the provisions of this
33 act are declared to be severable.

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35 SECTION 6. All laws and parts of laws in conflict with this act are
36 hereby repealed.

/s/ Prater

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