

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

A Bill

SENATE BILL 52

4
5 By: Senator Gordon
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For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 28-53-118
10 TO PROVIDE FOR OTHER FORMS OF SATISFACTORY EVIDENCE OF
11 DISTRIBUTION IN THE ADMINISTRATION OF DECEDENTS'
12 ESTATES; AND FOR OTHER PURPOSES."
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Subtitle

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15 "TO PROVIDE FOR OTHER FORMS OF
16 SATISFACTORY EVIDENCE OF DISTRIBUTION IN
17 THE ADMINISTRATION OF DECEDENTS'
18 ESTATES."
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code Annotated § 28-53-118 is amended to read as
24 follows:

25 "28-53-118. Discharge of personal representative.

26 (a) Upon the filing of ~~receipts or other~~ evidence satisfactory to the
27 court that distribution has been made as directed in the order of final
28 distribution, the court shall enter an order discharging the personal
29 representative and his surety from further liability or accountability with
30 respect to the administration. Evidence satisfactory to the court may consist
31 of receipts, unless other written evidence of distribution exists, such as
32 cancelled checks, or, in the case of property under title, a copy of the
33 document transferring title to the distributee.

34 (b) The order, or an order of discharge entered under § 28-53-104,
35 shall be final, except that upon a petition being filed within three (3) years
36 of the entry thereof, the order may be set aside for fraud in the settlement

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1 of the account of the personal representative."
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3 SECTION 2. All provisions of this Act of a 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 provision of this Act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the Act which can be given effect without
10 the invalid provision 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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