

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas

84th General Assembly

Regular Session, 2003

A Bill

HOUSE BILL 1983

By: Representatives Verkamp, Bond, Childers, Hathorn, Jeffrey, Lamoureux, Ledbetter, Mahony,
Martin, Napper, Pate, C. Taylor, Thomason, Thyer, Wood

For An Act To Be Entitled

AN ACT TO ABOLISH THE RULE IN SHELLEY'S CASE; AND
FOR OTHER PURPOSES.

Subtitle

AN ACT TO ABOLISH THE RULE IN SHELLEY'S
CASE.

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

SECTION 1. (a)(1) The Rule in Shelley's case is abolished and shall not be recognized by any court of this state.

(2) This act is intended to annul the application or effect of the Rule in Shelley's Case on any instrument or interest in real property.

(b) When any instrument, prepared or executed after the effective date of this act, conveys an interest in any real property to be given to the heirs or issue of any person in words, which under the rule of construction known as the Rule in Shelley's case, would have operated to give to that person an interest in fee simple, those words shall operate as words of purchase and not of limitation.

