

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 2696

5 By: Representative Mack
6
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For An Act To Be Entitled

9 AN ACT TO ALLOW OWNERS OF THE LAND ON WHICH
10 MOBILE HOMES ARE LOCATED TO OBTAIN A LIEN AGAINST
11 THE MOBILE HOME FOR RENT DUE; TO REPEAL THE
12 REQUIREMENT THAT RETAIL SELLERS OF MOBILE HOMES
13 REPORT SALES TO THE COUNTY TAX ASSESSOR; TO
14 REQUIRE MOBILE HOME PARKS TO REPORT THE OWNERS OF
15 MOBILE HOMES TO THE COUNTY TAX ASSESSOR; TO
16 REPEAL THE MOBILE HOME DECAL REQUIREMENT; AND FOR
17 OTHER PURPOSES.

Subtitle

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19
20 TO ALLOW MOBILE HOME PARK OWNERS TO
21 OBTAIN LIENS FOR RENT DUE; TO CHANGE THE
22 REQUIREMENTS FOR REPORTING MOBILE HOME
23 OWNERS TO THE COUNTY TAX ASSESSOR; AND
24 TO REPEAL MOBILE HOME DECAL
25 REQUIREMENTS.
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27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
29

30 SECTION 1. Arkansas Code Title 18, Chapter 41, Subchapter 1 is amended
31 to add the following section:

32 18-41-109. Liens on mobile homes.

33 (a)(1) If a manufactured home or a mobile home on a leased site in a
34 mobile home park or on any other leased site is vacant, the owner of the
35 leased site may be granted a lien against the manufactured home or mobile
36 home for rent due upon written notice delivered by certified mail to any



1 lienholder of record unless such lienholder of record is prevented by law
2 from removing the manufactured home or mobile home.

3 (2) The lien provided by subdivision (a)(1) of this section
4 shall be effective thirty (30) days after written notice is delivered by
5 certified mail to any lienholder of record provided that the manufactured
6 home or mobile home:

7 (A) Has been vacant for thirty (30) days or more after the
8 written notice in subdivision (a)(1) of this section was sent to the
9 lienholder; and

10 (B) Was not removed during that thirty-day time period.

11 (3) The lien provided by subdivision (a)(1) of this section
12 shall be for rent accrued after the written notice is delivered to the
13 lienholder.

14 (4) Prior to removal of the manufactured home or mobile home
15 upon which a lien was filed under subdivision (a)(1) of this section, a
16 lienholder of record shall notify the owner of land by certified mail of its
17 intent to remove the manufactured home or mobile home.

18 (5) All notices required to be given by certified mail in this
19 section shall be effective upon mailing.

20 (b) As used in this section, "mobile home park" means a parcel or
21 contiguous parcels under common ownership containing five (5) or more rental
22 or leased spaces or lots maintained for the placement of manufactured homes
23 or mobile homes.

24
25 SECTION 2. Arkansas Code § 26-26-1105 is amended to read as follows:

26 ~~26-26-1105. Report of mobile home sales.~~ Mobile home parks.

27 ~~All persons engaged in the retail sale of mobile homes shall report the~~
28 ~~sale of each new or used mobile home to the county tax assessor of the~~
29 ~~appropriate county in which the mobile home is delivered. The report shall~~
30 ~~include the name of the purchaser, his address, and the date on which the~~
31 ~~purchase was made.~~

32 (a) As used in this section, "mobile home park" means a parcel or
33 contiguous parcels under common ownership containing five (5) or more rental
34 or leased spaces or lots maintained for the placement of manufactured homes
35 or mobile homes.

36 (b) On or before April 1 of each year, the owner or manager of each

1 mobile home park shall report the following information to the county tax
2 assessor:

3 (1) The name and mailing address of the owner of record of each
4 manufactured home or mobile home located in the park; and

5 (2) Other information as may be deemed necessary by the
6 assessor.

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8 SECTION 3. Arkansas Code § 26-26-1106 is repealed.

9 ~~26-26-1106. Mobile home decal.~~

10 ~~(a) Every owner of a mobile home shall be given a decal or sticker~~
11 ~~from the county assessor upon assessing the mobile home for ad valorem tax~~
12 ~~purposes, and the decal or sticker shall be attached to the mobile home by~~
13 ~~the owner as evidence of assessment of it.~~

14 ~~(b) The Assessment Coordination Division of the Arkansas Public~~
15 ~~Service Commission shall promulgate rules and regulations to carry out the~~
16 ~~provisions of subsection (a) of this section.~~

17 ~~(c) Any mobile home owner who does not have a decal or sticker~~
18 ~~attached to his mobile home after the deadline for personal property~~
19 ~~assessment as is provided by law shall be guilty of a misdemeanor and, upon~~
20 ~~conviction, shall be fined not less than five dollars (\$5.00) nor more than~~
21 ~~fifty dollars (\$50.00).~~