

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 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1386

4  
5 By: Representative Davenport  
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## For An Act To Be Entitled

8  
9 AN ACT TO ALLOW DELINQUENT PERSONAL PROPERTY  
10 TAXES AND PENALTY TO BE DEDUCTED FROM THE  
11 PROCEEDS OF DELINQUENT LAND SALES; AND FOR OTHER  
12 PURPOSES.  
13

## Subtitle

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15 TO ALLOW DELINQUENT PERSONAL PROPERTY  
16 TAXES AND PENALTY TO BE DEDUCTED FROM  
17 THE PROCEEDS OF DELINQUENT LAND SALES;  
18 AND FOR OTHER PURPOSES.  
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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 § 26-37-205, concerning the distribution of  
24 funds from the sale of delinquent land, is amended to read as follows:

25 (a) All moneys collected by the Commissioner of State Lands from the  
26 sale or redemption of tax delinquent lands shall be distributed as follows:

27 (1)(A) First, to the Commissioner of State Lands, the penalties,  
28 the collection fees, the sale costs, and the other costs as prescribed by  
29 law.

30 (B) The sale costs shall include, but not be limited to,  
31 fees for title work;

32 (2) Second, to each county an amount equal to the taxes due plus  
33 interest and costs to the county as certified by the county collector, which  
34 amount shall be held in an escrow fund administered by and remitted to the  
35 counties within one (1) calendar year of their receipt by the Commissioner of  
36 State Lands; ~~and~~



1           (3)(A) Third, to each county an amount equal to the delinquent  
2 personal property taxes, plus penalty, of the owner or owners of the  
3 delinquent land as certified by the county collector, which amount shall be  
4 held in an escrow fund administered by and remitted to the counties after one  
5 (1) calendar year of their receipt by the Commissioner of State Lands.

6           (B) The Commissioner of State Lands shall review the  
7 information provided by the county collector and any other interested party  
8 to ascertain:

9                           (i) Whether the personal property tax and  
10 penalty qualifies to be withheld from the delinquent land sale proceeds; and

11                           (ii) The amount of personal property tax and  
12 penalty that qualifies under this subdivision (a)(3) to be withheld.

13           (C) If the Commissioner of State Lands is required to make  
14 a refund of the personal property taxes withheld under this subdivision  
15 (a)(3)(A) to a purchaser of delinquent lands for any reason, the amount of  
16 the refund shall be recovered by the Commissioner of State Lands from the  
17 county or counties that originally received the proceeds under this  
18 subdivision (a)(3) of the delinquent land sale.

19           (D) The Commissioner of State Lands shall promulgate rules  
20 and forms needed to administer this subdivision (a)(3); and

21           ~~(3)(4)~~ Third Fourth, to be placed in another escrow fund  
22 administered by the Commissioner of State Lands, the remainder, if any.

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