

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
4

A Bill

HOUSE BILL 2233

5 By: Representative Barnett
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For An Act To Be Entitled

9 AN ACT TO AUTHORIZE A COUNTY RECORDER OF DEEDS TO
10 OBTAIN, SELL, AND AFFIX DOCUMENTARY STAMPS TO
11 DEEDS PRESENTED FOR RECORDING OR OTHERWISE ASSIST
12 COMPLIANCE WITH THE REAL PROPERTY TRANSFER TAX;
13 AND FOR OTHER PURPOSES.
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Subtitle

15 TO AUTHORIZE A COUNTY RECORDER OF DEEDS
16 TO OBTAIN, SELL, AND AFFIX DOCUMENTARY
17 STAMPS TO DEEDS PRESENTED FOR RECORDING
18 OR OTHERWISE ASSIST COMPLIANCE WITH THE
19 REAL PROPERTY TRANSFER TAX.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 14-15-408 is amended to read as follows:
26 14-15-408. Tender of fees required.

27 (a) No A recorder shall be is not required to endorse any instrument
28 presented to him or her for record as filed or to record the instrument
29 unless the fees for recording and the tax thereon, if any, are first tendered
30 to him or her; nor shall any recorder be subject to any action or liable in
31 any manner for a failure or refusal to record any instrument unless the fees
32 are first tendered.

33 (b) If sufficient fees are tendered to pay the recording fee and the
34 real property transfer tax required by § 26-60-101 et seq., the recorder
35 shall affix the appropriate amount of documentary stamps to the instrument
36 and record the instrument.



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SECTION 2. Arkansas Code § 26-60-109 is amended to read as follows:
26-60-109. Documentary stamps.

The Director of the Department of Finance and Administration shall design documentary stamps in appropriate denominations and shall make the stamps available for purchase at offices of the Revenue Division of the Department of Finance and Administration and by consignment arrangement with county recorders of deeds, title companies, banks, and savings and loans associations throughout the state.