1   State of Arkansas

2   88th General Assembly   A Bill

3   Regular Session, 2011   HOUSE BILL 1888

4

5   By: Representatives Slinkard, Jean, Barnett, Carter, Clemmer, Gillam, Kerr, Summers

6

7   **For An Act To Be Entitled**

8   AN ACT TO REQUIRE NOTICE AND THE RECORDING OF A DEED

9   FOR A DISTRIBUTEE TO COLLECT A SMALL ESTATE; AND FOR

10   OTHER PURPOSES.

11

12

13   **Subtitle**

14   TO REQUIRE NOTICE AND THE RECORDING OF A

15   DEED FOR A DISTRIBUTEE TO COLLECT A SMALL

16   ESTATE.

17

18

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

20

21   SECTION 1.   Arkansas Code § 28-41-101(b)(2)(A), concerning the

22   collection of small estates by a distributee, is amended to read as follows:

23   (2)(A)   If an estate collected under this section contains any

24   real property, the distributee, in order to allow for claims against the

25   estate to be presented, may cause, promptly after the affidavit has been

26   filed, the distributee shall cause a notice of the decedent's death and the

27   filing of an affidavit for collecting of his or her estate to be published

28   within thirty (30) days after the affidavit has been filed.

29

30   SECTION 2.   Arkansas Code § 28-41-102(d), concerning the transfer of

31   real property to the distributee of a small estate, is amended to read as

32   follows:

33   (d)   Under and pursuant to the affidavit described in After filing the

34   affidavit and publishing the notice required by § 28-41-101 and after the

35   notice to creditors of the decedent's death and the collection of his or her

36   estate is published as provided by § 28-41-101, the distributee entitled to

1 ~~whom~~ the transfer or delivery of ~~any~~ real property ~~is made~~ shall:

2 (1) ~~be authorized to issue~~ Issue to himself or herself a deed of

3 distribution for the real property of the decedent as if made by a personal

4 representative of the decedent; and

5 (2) Record the deed in the real estate records of the county

6 where the real property is located.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36