

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

# A Bill

HOUSE BILL 1247

5 By: Representative L. Fite  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING REAL PROPERTY  
9 TRANSFER TAX AFFIDAVITS OF COMPLIANCE AND RECEIPTS;  
10 AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13  
14 TO AMEND THE LAW CONCERNING REAL PROPERTY  
15 TRANSFER TAX AFFIDAVITS OF COMPLIANCE AND  
16 RECEIPTS.  
17

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code § 26-60-108(c)-(f), concerning the  
22 completion, storage, and audit of real property transfer tax affidavits of  
23 compliance and receipts, are repealed as obsolete.

24 ~~(c)(1) The clerk's copy of the affidavit and receipt shall be delivered~~  
25 ~~to the person paying the tax and the receipt portion may be detached and~~  
26 ~~retained by the taxpayer.~~

27 ~~(2) The clerk's copy of the affidavit shall be presented to the~~  
28 ~~county recorder of deeds, who shall review and determine that the same is in~~  
29 ~~compliance with this chapter before the instrument of real property transfer~~  
30 ~~may be accepted for recordation and record the receipt number evidencing~~  
31 ~~payment of the tax on the real property transfer instrument.~~

32 ~~(3) In the case of instruments exempt from the tax, the county~~  
33 ~~recorder shall record a notation to this effect on the transfer instruments.~~

34 ~~(4) The county recorder shall place on the face of the affidavit~~  
35 ~~a file stamp and the book and page numbers or instrument number.~~

36 ~~(d)(1) The copies of the affidavit stamped as required above and as~~



1 ~~required in § 26-60-107(b)(3)(A) shall be placed by the county recorder in a~~  
2 ~~box or file kept for such purpose.~~

3 ~~(2) At least weekly, the Revenue Division of the Department of~~  
4 ~~Finance and Administration shall pick up the affidavits and shall attach~~  
5 ~~those upon which tax is paid to the original copy thereof retained in the~~  
6 ~~Revenue Division of the Department of Finance and Administration's files.~~

7 ~~(e) Copies of the affidavits shall be kept for audit for compliance~~  
8 ~~with this chapter and for audit by the Division of Legislative Audit.~~

9 ~~(f) The triplicate copy shall be made available to the county assessor.~~

10  
11 SECTION 2. Arkansas Code § 26-60-108(g), concerning real property  
12 transfer tax affidavits of compliance and receipts, is amended to read as  
13 follows:

14 ~~(g)~~ (c) If authorized by the director, an electronic copy of an  
15 affidavit described in this section may be used and retained in the same  
16 manner as other electronic documents.

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36