

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session

# A Bill

HOUSE BILL 1376

4  
5 By: Representative Speaks  
6 By: Senator J. Sturch

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE SALE OF COUNTY  
10 PROPERTY; AND FOR OTHER PURPOSES.

## Subtitle

14 TO AMEND THE LAW CONCERNING THE SALE OF  
15 COUNTY PROPERTY.

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

20 SECTION 1. Arkansas Code § 14-16-105(d) and (e), concerning the sale  
21 of county property, are amended to read as follows:

22 (d)(1) If the appraised value of the property described in the order  
23 is less than ~~the sum of two thousand dollars (\$2,000)~~ five thousand dollars  
24 (\$5,000), the property may thereafter be sold and conveyed by the county  
25 judge, either at public or private sale, by sealed bids or ~~Internet~~ internet  
26 sale for not less than three-fourths ( $\frac{3}{4}$ ) of the appraised value as shown by  
27 the certificate of appraisal filed by the assessor.

28 (2)(A) If the property will be sold by ~~Internet~~ internet sale,  
29 the notice of sale shall be placed on the website of the ~~Internet~~ internet  
30 vendor for no less than eight (8) consecutive days before the date of sale  
31 and shall contain a description of the property to be sold and the time of  
32 the sale.

33 (B) An additional notice may be posted on a county-owned  
34 or county-affiliated website, trade website, or business website for no less  
35 than eight (8) consecutive days before the date of sale.

36 (3)(A) When the sale has been completed, the county court shall



1 enter its order approving the sale.

2 (B) The order shall set forth:

- 3 (i) The description of the property sold;
- 4 (ii) The name of the purchaser;
- 5 (iii) The terms of the sale;
- 6 (iv) That the proceeds of the sale have been

7 deposited with the county treasurer; and

8 (v) The fund or funds to which the proceeds were  
 9 credited by the county treasurer.

10 (e)(1)(A)~~(i)~~ If the appraised value of the property to be sold exceeds  
 11 ~~the sum of two thousand dollars (\$2,000)~~ five thousand dollars (\$5,000), the  
 12 county judge may sell the property to the highest ~~and best~~ bidder, upon  
 13 sealed bids received by the judge or by ~~Internet~~ internet sale.

14 ~~(ii) The sheriff, the treasurer, and the circuit~~  
 15 ~~clerk of the county in which the property is to be sold shall constitute a~~  
 16 ~~board of approval for the sales, and the judge shall be the ex officio chair~~  
 17 ~~of the board without a vote.~~

18 (B) ~~The property, when it exceeds the appraised value of~~  
 19 ~~two thousand dollars (\$2,000), shall not be sold~~ The county judge shall not  
 20 sell property under subdivision (e)(1)(A) of this section for less than  
 21 three-fourths ( $\frac{3}{4}$ ) of ~~its~~ the appraised value of the property as determined by  
 22 the certificate of the assessor.

23 (2)(A) Notice of the sale shall be published for two (2)  
 24 consecutive weekly insertions in some newspaper published and having a  
 25 general circulation in the county.

26 (B) The notice shall specify:

- 27 (i) The description of the property to be sold;
- 28 (ii) The time and place for submitting written bids,  
 29 ~~including that the sale may be conducted on the Internet;~~ and
- 30 (iii) The appraised value of the property to be

31 sold.

32 (C) The notice shall be dated and signed by the judge.

33 (D) If the sale is conducted on the ~~Internet~~ internet, the  
 34 notice shall be placed on the ~~Internet~~ internet under this section, and the  
 35 invoice from the ~~Internet~~ internet vendor or publisher shall be accompanied  
 36 by a statement from the ~~Internet~~ internet vendor or publisher that the sale

1 was published and conducted on the ~~Internet~~ internet.

2 (3) The judge shall have the right to reject any bids received  
3 by him or her under the notice.

4 (4)(A) When the judge has accepted a bid for the property ~~and if~~  
5 ~~a majority of the board approves the sale~~, the judge may sell and convey the  
6 property to the highest bidder.

7 (B) When the sale has been approved and completed, the  
8 county court shall enter an order approving the sale, which shall set forth  
9 the details of the sale as provided in subdivision (d)(2)(B) of this section.

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