

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

SENATE BILL 194

By: Senator D. Johnson  
By: Representatives Vines, Williams

## For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 28 OF  
THE ARKANSAS CODE CONCERNING WILLS, ESTATES, AND  
FIDUCIARY RELATIONSHIPS; AND FOR OTHER PURPOSES.

### Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 28  
OF THE ARKANSAS CODE CONCERNING WILLS,  
ESTATES, AND FIDUCIARY RELATIONSHIPS.

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

SECTION 1. Arkansas Code § 28-48-102(b), concerning the form to be used for letters of administration issued by a court, is amended to read as follows to correct an obsolete reference:

(b) The letters shall be in substantially the following form:

In the ~~Probate~~ Circuit Court of ..... County, Arkansas.  
In the Matter of the Estate of C.D., deceased.  
No. ....

#### Letters of Administration (Testamentary)

Be it known that A.B., whose address is .....,  
having been duly appointed administrator of the estate (executor of the will)  
of C.D., deceased, who died on or about ....., 20....., and having  
qualified as such administrator (executor) is hereby authorized to act as  
such administrator (executor) for and in behalf of the estate and to take



possession of the property thereof as authorized by law.

Issued this .....day of ....., 20.....

.....

Clerk.

(Seal)

SECTION 2. Arkansas Code § 28-65-203(b), concerning the qualifications to be a guardian, is amended to clarify the wording:

(b) However, notwithstanding ~~the provisions in~~ subsection (a) of this section, a natural person who is a resident of this state, eighteen (18) years of age or older, of sound mind, and a convicted and unparoled felon whose home has been opened under § 9-28-409 either as a foster home or as an adoptive home is qualified to be a guardian of the person or estate of a minor in the custody of the Department of Human Services ~~if under § 9-28-409 the person:~~

- ~~(1) That person's home has been opened as a foster home; or~~
- ~~(2) That person's home has been opened as an adoptive home.~~

SECTION 3. Arkansas Code § 28-69-206, is amended to read as follows to correct grammatical errors and to remove a reference to the abolished Federal Savings and Loan Insurance Corporation:

28-69-206. Deposit of funds – Collateral for uninsured deposit. An Arkansas-chartered bank or savings and loan association ~~which~~ that holds as trustee funds awaiting investment or distribution, if not prohibited by the instrument or judgment creating the trust, may deposit the funds in the commercial department of the bank or savings and loan association. However, if the amount of the deposit exceeds the Federal Deposit Insurance Corporation ~~or Federal Savings and Loan Insurance Corporation~~ insurance coverage, the bank or savings and loan association shall pledge, as security for the payment of the deposit, bonds constituting general obligations of the United States or the State of Arkansas of a market value not less than the uninsured portion of the deposit.

SECTION 4. DO NOT CODIFY. The enactment and adoption of this act shall not repeal, expressly or impliedly, the acts passed at the regular

session of the Eighty-Ninth General Assembly. All such acts shall have the full force and effect and, so far as those acts intentionally vary from or conflict with any provision contained in this act, those acts shall have the effect of subsequent acts and as amending or repealing the appropriate parts of the Arkansas Code of 1987.

**APPROVED: 04/11/2013**