

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H2/7/13
A Bill

HOUSE BILL 1193

By: Representatives Hammer, Neal

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING SALES OF REAL OR PERSONAL PROPERTY UNDER JUDICIAL DECREES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING SALES OF REAL OR PERSONAL PROPERTY UNDER JUDICIAL DECREES.

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

SECTION 1. Arkansas Code § 21-6-412 is amended to read as follows:

21-6-412. Commissioners to sell property.

(a)(1) Commissioners appointed to make sales of real property under judicial decrees shall be allowed the following fees as compensation for such services:

On sales for	\$ 1.00	to	\$ 500.....	\$10.00
On sales for	500	to	2,500.....	15.00
On sales for	2,500	to	5,000.....	20.00
On sales for	5,000	to	10,000.....	25.00
On sales for	10,000	to	20,000.....	30.00
On sales for	20,000	to	35,000.....	35.00
On sales for	35,000 or more, one-tenth of one percent (0.1%).			

(2) Commissioners appointed to make sales of personal property under judicial decrees shall be allowed as compensation for such services the fee prescribed by the judge of the court that issued the decree.

(b) In lieu of the fees provided for in this section, the court may



set reasonable fees for commissioners based upon services rendered on sales under thirty-five thousand dollars (\$35,000).

(c)(1) If the circuit clerk's office is appointed as commissioner for a sale of real or personal property under judicial decree, the fee awarded to the circuit clerk's office under this section shall be:

(A) Collected by the circuit clerk and paid into the county treasury to the credit of a fund to be known as the "circuit clerk commissioner's fee fund"; and

(B) Used exclusively by the circuit clerk's office for the following purposes and in the following order:

(i) To offset administrative costs associated with the performance of the commissioner's duties; and

(ii) For general operational expenses of the office of circuit clerk.

(2) Moneys deposited into the fund shall be appropriated and expended for the uses designated in this section by the quorum court at the direction of the circuit clerk.

/s/Hammer

APPROVED: 03/06/2013