

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 579

By: Senators B. Ballinger, J. Sturch

By: Representative M. Berry

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE PROCESS BY WHICH THE STATE HIGHWAY COMMISSION MAY SELL OR DISPOSE OF SURPLUS PROPERTY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE PROCESS BY WHICH THE STATE HIGHWAY COMMISSION MAY SELL OR DISPOSE OF SURPLUS PROPERTY.

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

SECTION 1. Arkansas Code § 27-67-322(d), concerning the reacquisition of surplus property, is amended to read as follows:

(d)(1) When real property or a portion of the real property held as a capital asset by the State Highway Commission is later declared surplus, the owner from whom the property was acquired or his or her heirs, successors, or assigns shall be notified as required under subdivision (b)(1)(B) of this section.

(2)(A) The market value of the real property and improvements at the time the real property is declared surplus shall be determined by ~~three~~ ~~(3)~~ two (2) appraisers certified or licensed under the Arkansas Appraiser Licensing and Certification Act, § 17-14-101 et seq., § 17-14-201 et seq., and § 17-14-301 et seq.

(B) However, if the Arkansas Department of Transportation's current assessment of the market value of the real property and improvements is fifty thousand dollars (\$50,000) or less, then the market



value required under subdivision (d)(2)(A) of this section shall be determined by one (1) appraiser certified or licensed under the Arkansas Appraiser Licensing and Certification Act, § 17-14-101 et seq., § 17-14-201 et seq., and § 17-14-301 et seq.

(3) The option to purchase authorized under subsection (c) of this section shall not apply to a capital asset.

(4) As used in this subsection, "capital asset" means real property acquired by the State Highway Commission and improved by the State Highway Commission with offices, shops, storage yards, or other necessary or auxiliary facilities, or property purchased as an uneconomic remnant.

APPROVED: 4/20/21