

Stricken language would be deleted from and underlined language would be added to present law.
Act 986 of the Regular Session

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H4/9/25

A Bill

HOUSE BILL 1959

By: Representative M. Brown

By: Senator M. McKee

For An Act To Be Entitled

AN ACT TO ABOLISH THE USE OF A WRIT OF SCIRE FACIAS AS THE MEANS OF REVIVING AN OUTSTANDING JUDGMENT; TO ALLOW A JUDGMENT TO BE REVIVED BY NOTICE; TO AMEND THE LAW CONCERNING THE FEES TO BE CHARGED BY CLERKS OF THE CIRCUIT COURTS; AND FOR OTHER PURPOSES.

Subtitle

TO ABOLISH THE USE OF A WRIT OF SCIRE FACIAS AS THE MEANS OF REVIVING AN OUTSTANDING JUDGMENT; TO ALLOW A JUDGMENT TO BE REVIVED BY NOTICE; AND TO AMEND THE LAW CONCERNING THE FEES TO BE CHARGED BY CLERKS OF THE CIRCUIT COURTS.

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

SECTION 1. DO NOT CODIFY. Legislative intent.

The General Assembly intends this act to:

(1) Abolish the use of a writ of scire facias as the means of reviving an outstanding judgment; and

(2) Simplify the process to revive an outstanding judgment.

SECTION 2. Arkansas Code § 16-65-501 is amended to read as follows:

16-65-501. ~~Scire facias~~ Revival of outstanding judgment.

(a)(1) The ~~plaintiff~~ judgment creditor or his or her legal representatives at any time before the expiration of the lien of a judgment may ~~sue out a scire facias to revive the judgment~~ file notice that the



judgment is still outstanding in accordance with this section to revive the judgment.

(2) The notice shall include with respect to the judgment:

(A) The names of the judgment debtor and judgment creditor;

(B) The name of the court and case number in which the judgment was rendered;

(C) The current balance of the judgment after all payments and other credits; and

(D) A statement that the judgment creditor intends to maintain the judgment creditor's lien of judgment against any property of the judgment debtor located in the county in which the notice is filed.

~~(b)(1) The seire facias~~ A copy of the notice shall be served on the defendant or his or her legal representatives, terre tenants, or other person occupying the land, and may be directed to and served in any county in this state judgment debtor via first class mail, postage prepaid, and addressed to the judgment debtor at the judgment debtor's last known address.

~~(c)(1) If the defendant cannot be found, the court shall make an order briefly setting forth the nature of the case and requiring all persons interested to appear on a date set by the court and show cause why the judgment or decree should not be revived and lien continued.~~

(2) A If the current whereabouts of the judgment debtor are unknown such that the judgment debtor cannot be served via first class mail, a copy of the ~~order~~ notice shall be put up for four (4) weeks at the courthouse door of the county in which the judgment or decree may have been rendered.

~~(d) If upon service or publication of the seire facias, as required in subsection (c) of this section, the defendant or any other person interested does not appear and show cause why such judgment or decree shall not be revived, the judgment shall be revived and the lien continued for another period of ten (10) years and so on from time to time as often as may be necessary.~~

~~(e)(c)(1) If a seire facias is sued out~~ the notice is filed on or before the ~~termination~~ expiration of the lien of any judgment or decree, the lien of the judgment revived shall have relation to the day on which the seire facias issued notice is filed.

~~(f)(2) No seire facias to revive a judgment shall be issued revived except within ten (10) years from the date of the rendition of the judgment, or if the judgment shall have been previously revived, then within ten (10) years from the ~~order of revivor~~ filing of the previous notice.~~

~~(g)(1) Unless before the expiration of a judgment the notice under subdivision (g)(2) of this section is recorded in the real property records of a county other than the county in which an action under this section is filed;~~

~~(A) A seire facias to revive the judgment is not effective in the county other than the county in which an action under this section is filed; and~~

~~(B)(i) A recorded judgment lien may not be revived against real property in the county other than the county in which an action under this section is filed.~~

~~(ii) This subdivision (g)(1)(B) does not prevent a judgment creditor from registering a judgment or recording a judgment lien in a new county after a judgment is obtained or revived.~~

~~(2) The notice shall include with respect to the action:~~

~~(A) The names of the judgment debtors and judgment creditors;~~

~~(B) The name of the court and case number in which the judgment was rendered;~~

~~(C) The name of the county in which the petition for a writ of seire facias was filed;~~

~~(D) The date on which the petition was filed; and~~

~~(E) A statement that the filing party intends to maintain its judgment lien against any property of the judgment debtor located in the county in which the notice is filed.~~

(d) A judgment that is recorded in the real property records of a county other than the county in which a notice under this section is filed may be revived and the lien continued by recording a copy of the filed notice.

SECTION 3. Arkansas Code § 21-6-402(b), concerning the fees to be charged by the clerks of the circuit courts, is amended to add an additional subdivision to read as follows:

(10) For filing notice of outstanding judgment under § 16-65-501
..... 20.00.

SECTION 4. Arkansas Code § 21-6-403(a), concerning the uniform filing fees to be charged by the clerks of court, is amended to read as follows:

(a)(1) The uniform filing fees to be charged by the clerks of the circuit courts for initiating or reopening a cause of action in the circuit courts in the state shall be as prescribed in this section.

(2) A revival of an outstanding judgment under § 16-65-501 shall not be charged a reopening fee under subdivision (a)(1) of this section.

(3) No portion of the filing fees shall be refunded.

/s/M. Brown

APPROVED: 4/22/25