

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

INTERIM STUDY PROPOSAL 2009-077

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

HOUSE BILL 2233

By: Representative Barnett

Filed with: House Interim Committee on City, County and Local Affairs
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO AUTHORIZE A COUNTY RECORDER OF DEEDS TO
OBTAIN, SELL, AND AFFIX DOCUMENTARY STAMPS TO
DEEDS PRESENTED FOR RECORDING OR OTHERWISE ASSIST
COMPLIANCE WITH THE REAL PROPERTY TRANSFER TAX;
AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE A COUNTY RECORDER OF DEEDS
TO OBTAIN, SELL, AND AFFIX DOCUMENTARY
STAMPS TO DEEDS PRESENTED FOR RECORDING
OR OTHERWISE ASSIST COMPLIANCE WITH THE
REAL PROPERTY TRANSFER TAX.

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

SECTION 1. Arkansas Code § 14-15-408 is amended to read as follows:
14-15-408. Tender of fees required.

(a) ~~No A recorder shall be~~ is not required to endorse any instrument
presented to him or her for record as filed or to record the instrument
unless the fees for recording and the tax thereon, if any, are first tendered
to him or her; nor shall any recorder be subject to any action or liable in
any manner for a failure or refusal to record any instrument unless the fees
are first tendered.

(b) If sufficient fees are tendered to pay the recording fee and the



1 real property transfer tax required by § 26-60-101 et seq., the recorder
2 shall affix the appropriate amount of documentary stamps to the instrument
3 and record the instrument.
4

5 SECTION 2. Arkansas Code § 26-60-109 is amended to read as follows:
6 26-60-109. Documentary stamps.

7 The Director of the Department of Finance and Administration shall
8 design documentary stamps in appropriate denominations and shall make the
9 stamps available for purchase at offices of the Revenue Division of the
10 Department of Finance and Administration and by consignment arrangement with
11 county recorders of deeds, title companies, banks, and savings and loans
12 associations throughout the state.
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