State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1609

By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE TERMINATION OF A GUARDIANSHIP FOLLOWING THE DEATH OF A WARD OF A PUBLIC GUARDIAN FOR ADULTS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE TERMINATION OF A GUARDIANSHIP FOLLOWING THE DEATH OF A WARD OF A PUBLIC GUARDIAN FOR ADULTS.

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

SECTION 1. Arkansas Code § 28-65-706(d)(4), concerning the termination of guardianships, is amended to read as follows:

(4)<u>(A)</u> Direct delivery of the funds of the deceased ward to the appropriate person<u>.</u> ~~or, if no appropriate person is available, to the registry of the court pursuant to the Arkansas Rules of Civil Procedure; and~~

<u>(B) If an appropriate person is unavailable, the funds of the deceased ward shall be distributed as follows:</u>

<u>(i) If after a period of one (1) calendar year a claim has not been filed by an heir or creditor against the remaining assets of the deceased ward, the funds of the deceased ward shall be placed in the registry of the court pursuant to the Arkansas Rules of Civil Procedure; or</u>

<u>(ii) If a balance remains following claims against the estate under subdivision (d)(4)(B)(i) of this section, the county clerk shall deliver the residue to the Treasurer of State; and</u>