



**State of Arkansas
Department of Finance and Administration
Fiscal Impact Statement**

Bill: SB404

Bill Subtitle: TO REQUIRE NOTIFICATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION OF THE PROBATE OF AN ESTATE IF THE DEPARTMENT OF FINANCE AND ADMINISTRATION HAS FILED A CERTIFICATE OF INDEBTEDNESS AGAINST THE DECEDENT.

Sponsors:

Sen. Boyd and Rep. Carr

Basic Change:

SB404 requires the personal representative of a decedent's estate to provide actual notice to the Department of Finance and Administration (DFA) if a certificate of indebtedness (state tax lien) was filed against the decedent.

Under current law, the administrator of an estate is required to serve notice of the probate on reasonably ascertainable creditors and the Department of Human Services (DHS) if DHS provided services to the decedent. SB404 would specifically require the administrator to serve notice on DFA if a certificate of indebtedness was recorded for taxes owed by the decedent. SB404 provides the specific address for the administrator to provide notice to DFA.

Fiscal Impact:

None.

Taxpayer Impact:

The personal representative of an estate will be required to provide notice to DFA if a state tax lien was previously filed against the decedent, which may result in more efficient handling of outstanding tax liabilities during probate.

Resources Required:

None.

Time Required:

Adequate time is provided for implementation.

Procedural Changes:

None.

Other Comments:

The bill may improve DFA's ability to collect outstanding debts owed by the estate of a deceased individual. By ensuring DFA is notified of probate proceedings, DFA can take appropriate action to recover amounts owed, potentially increasing collections.



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Legal Analysis:

None.