

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1911

5 By: Representative Lundstrum
6 By: Senator J. Bryant
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE ASSESSMENT OF
10 PROPERTY FOR THE PURPOSE OF PROPERTY TAX; TO REPEAL
11 THE REQUIREMENT THAT PERSONAL PROPERTY SUBJECT TO
12 TAXATION BE LISTED OR REPORTED BY THE PROPERTY OWNER;
13 AND FOR OTHER PURPOSES.
14

Subtitle

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16
17 TO AMEND THE LAW CONCERNING THE
18 ASSESSMENT OF PROPERTY FOR THE PURPOSE
19 OF PROPERTY TAX; AND TO REPEAL THE
20 REQUIREMENT THAT PERSONAL PROPERTY
21 SUBJECT TO TAXATION BE LISTED OR
22 REPORTED BY THE PROPERTY OWNER.
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 26-26-201(a)(2)(A), concerning delinquent
27 property assessments, is amended to read as follows:

28 (2)(A) All persons and property not ~~listed for assessment~~
29 assessed with the county assessor on or before May 31 of the year in which
30 the assessment is required, as provided by this chapter, shall be deemed to
31 be delinquent in assessment, and the county assessor shall so designate it on
32 his or her records that the county clerk may know each item of property and
33 all persons so delinquent.
34

35 SECTION 2. Arkansas Code § 26-26-201(d), concerning delinquent
36 property assessments, is repealed.



1 ~~(d)(1) In addition to the penalties for not assessing, delinquent~~
 2 ~~persons shall be required to pay an additional fifty cents (50¢) for each~~
 3 ~~list, which shall be utilized by the county assessor to help pay for the~~
 4 ~~expense of assessing property, subject to appropriation by the quorum court.~~

5 ~~(2) This additional sum shall be collected by the county~~
 6 ~~collector in the usual manner and paid into the assessor's late assessment~~
 7 ~~fee fund established on the books of the county treasurer.~~

8 ~~(3) Moneys in the assessor's late assessment fee fund shall be~~
 9 ~~allowed to accumulate and the fees collected shall not be used in the final~~
 10 ~~tax settlement proration for the costs of operating the assessor's office.~~

11
 12 SECTION 3. Arkansas Code § 26-26-307(b), concerning the reappraisal of
 13 property, is amended to read as follows:

14 (b) Provided that newly discovered real property, new construction and
 15 improvements to real property, and personal property, shall be ~~listed,~~
 16 appraised and assessed as otherwise provided by law until the countywide
 17 reappraisal of property is completed.

18
 19 SECTION 4. Arkansas Code § 26-26-502 is amended to read as follows:
 20 26-26-502. Deputy county assessors.

21 The county assessor in each county, with the approval of the Secretary
 22 of the Department of Finance and Administration, is authorized to deputize
 23 one (1) or more full-time or part-time clerks or other employees in the
 24 county revenue office and to authorize these deputies to assess personal
 25 property ~~or to list personal property for assessment~~ for ad valorem taxes.

26
 27 SECTION 5. Arkansas Code § 26-26-701 is amended to read as follows:
 28 26-26-701. Furnishing of ~~lists,~~ blanks, and records.

29 (a)(1) The Arkansas Public Service Commission shall prepare and
 30 furnish, at the proper time, to the county clerks in this state copies for
 31 all ~~lists,~~ blanks, and records to be used in the assessment, extension, and
 32 collection of taxes, and the county clerk shall have all ~~lists,~~ blanks, and
 33 records made at the expense of the county.

34 (2) This subsection shall not apply to poll tax receipts.

35 (3) No ~~lists,~~ blanks, or records shall be used by any official
 36 in the assessment, extension, or collection of taxes except as shall have had

1 the approval of the commission.

2 (b) On or before January 1 of each year, the county clerk shall
3 furnish to the county assessor all ~~lists,~~ blanks, and records necessary for
4 the assessment of all real and personal property for the year, all of them to
5 be prepared as provided by law unless otherwise directed by the commission.
6

7 SECTION 6. Arkansas Code § 26-26-714 is amended to read as follows:

8 26-26-714. Preservation of assessment lists.

9 (a) ~~The original assessment lists as made out, sworn to, and delivered~~
10 ~~to the county assessor by any person or property owner of the county and~~
11 assessment lists made by the county assessor prior to the date on which the
12 assessment rolls are delivered to the county clerk, together with copies of
13 all assessment lists as made out, sworn to, and delivered to the county clerk
14 by the county assessor ~~or any other person~~ after the assessment rolls have
15 been delivered to the county clerk and before the county collector closes his
16 or her books, shall remain in the office of the county assessor for at least
17 four (4) years after the date upon which they were made, during which time
18 the lists shall be filed by the county assessor in such manner that they may
19 be readily referred to and utilized.

20 (b) Copies of all assessment lists as made by the county assessor ~~or~~
21 ~~any other person~~ subsequent to the date on which penalty attached for failure
22 to assess and before the assessment record is required to be filed with the
23 county clerk shall be delivered to the county clerk at the same time the
24 assessment record is filed, which lists, together with the original of all
25 assessment lists as may be filed with the county clerk by the county assessor
26 ~~or any other person~~ after the assessment record has been delivered to the
27 county clerk and before the county collector closes his or her books, shall
28 be preserved by the county clerk for the purpose of checking the tax books to
29 determine if all penalties for failure to assess at the proper time have been
30 properly designated and extended.
31

32 SECTION 7. Arkansas Code §§ 26-26-901 and 26-26-902 are repealed.

33 ~~26-26-901. Furnishing of forms.~~

34 ~~Upon the application of the property owner or other person required to~~
35 ~~file an assessment list, the county assessor shall furnish appropriate blanks~~
36 ~~upon which to list and report the property required to be listed.~~

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~~26-26-902. Oath of one listing.~~

~~(a) The county assessors, deputy county assessors, and Arkansas Public Service Commission, or any other officer charged under the law with assessing taxes, shall, when each and every person presents himself or herself to make and prepare a property list, administer the following oath:~~

~~“You do solemnly swear that you will well and truly answer all questions that may be asked of you touching on the assessment of your property.”~~

~~(b) Provided, however, this oath shall not be required of any individual assessing his or her real or personal property by telephone under § 26-26-1114 or where the county assessor lists the property for the property owner as permitted in § 26-26-903.~~

SECTION 8. Arkansas Code §§ 26-26-903 – 26-26-906 are amended to read as follows:

26-26-903. Owner to list real property.

(a) Every person of full age and sound mind shall list the real property of which he or she is the owner, situated in the county in which he or she resides, ~~and the personal property of which he or she is the owner.~~

(b) The county assessor may relieve the person of this requirement by listing the current year’s assessment of real property from a previous property list or from a changed list based on a reassessment of the value of the real property of the owner.

26-26-904. Listing of real property by representatives.

The real property of every ward shall be listed by his or her guardian; of every minor, idiot, or lunatic, having no other guardian, by his or her father, if living, and if not, by his or her mother, if living; and if neither father nor mother is living, by the person having the real property in charge; of every wife, by her husband, if of sound mind; if not, by herself, if she is of sound mind; of every person for whose benefit real property is held in trust, by the trustee; of every estate of a deceased person, by the executor or administrator; of corporations whose assets are in the hands of receivers, by the receiver; of every company, firm, body politic, or corporate, by the president or principal accounting officer,

1 partner, or agent thereof.

2
3 26-26-905. Persons holding real property.

4 (a) ~~Property~~ Real property held under a lease for a term exceeding ten
5 (10) years belonging to a religious, scientific, or benevolent society or
6 institution, whether incorporated or unincorporated, and school, seminary,
7 saline, or other lands shall be considered, for all purposes of taxation, as
8 the real property of the person holding them and shall be listed as such by
9 the person or his or her agent, as in other cases.

10 (b)(1) For purposes of assessing and collecting ad valorem tax, real
11 property owned by the state shall be considered the real property of the
12 lessee if the real property is held under a lease for:

13 (A) An ongoing commercial or residential purpose; and

14 (B) A term of actual use or occupation that exceeds ninety
15 (90) days.

16 (2) Except as provided in this subsection, a lessee of real
17 property owned by the state as described under subdivision (b)(1) of this
18 section shall pay ad valorem tax on the real property held under the lease
19 for any tax year during which the lease for the real property is in effect as
20 of January 1 of that tax year.

21 (3)(A) Within thirty (30) days of executing a lease described in
22 subdivision (b)(1) of this section, the state shall provide written
23 notification of the lease to the county assessor for the county in which the
24 ~~lease~~ leased real property is located.

25 (B) The written notification required under subdivision
26 (b)(3)(A) of this section shall state the:

27 (i) Name and address of the lessee;

28 (ii) Term of the lease; and

29 (iii) Description of the leased real property.

30 (4) This subsection does not apply to real property owned and
31 leased by the state and used:

32 (A) For the purpose of housing any one (1) or more of the
33 following:

34 (i) Students or faculty, or both, of a state
35 institution of higher education;

36 (ii) Officials or employees, or both, of a state

1 entity; or

2 (iii) Official guests of a state entity;

3 (B) By a private person or entity for the purpose of
4 providing a service to or on behalf of a state entity;

5 (C) For academic, research, or athletic facilities or
6 purposes;

7 (D) For business and technology incubators or similar
8 facilities;

9 (E) For manufacturing or industrial facilities or
10 purposes, including without limitation industrial facilities as described in
11 § 14-164-701; or

12 (F) By a state entity or nonprofit entity, including
13 without limitation an organization that is otherwise exempt from taxation.

14

15 26-26-906. Pawnbrokers.

16 ~~Every person or company engaged in the business of receiving property~~
17 ~~in pledge or as security for money or other things advanced to the pawner or~~
18 ~~pledger shall annually, at the time prescribed by this chapter for the~~
19 ~~assessment of personal property, return, under oath, all property pledged to~~
20 ~~and held by him or her as a pawnbroker to the county assessor of the proper~~
21 ~~county.~~ The county assessor shall list and assess it property held by a
22 person as a pawnbroker to the pawnbroker at its fair cash value.

23

24 SECTION 9. Arkansas Code §§ 26-26-908 and 26-26-909 are amended to
25 read as follows:

26 26-26-908. Property converted into nontaxable securities.

27 (a) If any person shall have converted moneys, credits, or other
28 personal property in the year preceding January 1 of the year in which he or
29 she is required to assess his or her property into bonds or other securities
30 of the United States or this state not taxed, and shall hold or control the
31 bonds or securities when he or she is required to ~~list~~ assess his or her
32 property, ~~he or she shall list~~ the property shall be assessed to the person
33 at the monthly average value of the moneys, credits, or other property held
34 or controlled by him or her.

35 (b) Any indebtedness of the persons represented by him or her, created
36 by investment in the bonds or other securities, shall not be deducted from

1 the amount of credits in making up his or her ~~list~~ assessment for taxation.

2
3 26-26-909. Credits and stocks which need not be ~~listed~~ assessed.

4 (a) No person shall be required to ~~list~~ assess a greater portion of
5 any credits than he or she believes will be acquired or can be collected, nor
6 any greater portion of any obligation given to secure the payment of rent
7 than the amount of rent that shall have accrued on the lease and shall remain
8 due and unpaid at the time of ~~listing~~ assessment.

9 (b) No person shall be required to include in his or her ~~statement~~
10 assessment, as a part of the personal property, moneys, credits, investments
11 in bonds, stocks, joint-stock companies, or otherwise, which he or she is
12 required to ~~list~~ assess, any share or portion of the capital stock or
13 property of any company or corporation which is required to ~~list~~ assess or
14 return its capital and property for taxation in this state.

15
16 SECTION 10. Arkansas Code § 26-26-910 is repealed.

17 ~~26-26-910. Valuations in listings not conclusive.~~

18 ~~(a)(1) The valuations as set out in any assessment list required under~~
19 ~~the provisions of this subchapter to be delivered to the county assessor by~~
20 ~~the property owner shall not be held to be conclusive as to the value of the~~
21 ~~property so listed, and the county assessor may make such assessment of the~~
22 ~~property as he or she may deem just and equitable.~~

23 ~~(2)(A) The county assessor, in each instance where he or she~~
24 ~~raises the valuation of any property which has been listed with him or her as~~
25 ~~by law required, shall deliver to the property owner or his or her agent a~~
26 ~~duplicate copy of the adjusted assessment list, or he or she shall notify the~~
27 ~~property owner or his or her agent by first class mail, which notice shall~~
28 ~~state separately the total valuation of real and personal property as listed~~
29 ~~by the property owner and as fixed by the county assessor, and shall advise~~
30 ~~that the owner may, by petition or letter, apply to the county equalization~~
31 ~~board for the adjustment of the assessment as fixed by the county assessor.~~

32 ~~(B) All applications shall be made to the county~~
33 ~~equalization board on or before the third Monday in August.~~

34 ~~(b)(1) For the purpose of enabling the county assessor to determine~~
35 ~~just and equitable values of property, he or she is authorized, and it shall~~
36 ~~be his or her duty, to enter upon and make such personal inspection thereof~~

1 ~~as he or she shall deem necessary.~~

2 ~~(2) Any person shall, when called upon by the county assessor,~~
 3 ~~be required to answer upon oath and furnish proof demanded as to purchases,~~
 4 ~~sales, transfers, improvements, accounts, notes, stocks, bonds, bank notes,~~
 5 ~~bank deposits, invoices, insurance carried, or any and all other information~~
 6 ~~requested and pertaining to the location, amount, kind, and value of his or~~
 7 ~~her own property or that of another person.~~

8
 9 SECTION 11. Arkansas Code § 26-26-911(a), concerning inquiries to
 10 makers of lists for property tax purposes, is amended to read as follows:

11 (a) The Arkansas Public Service Commission, the county assessor, or
 12 any one of them who may be required under the law to make assessment rolls
 13 shall, in addition to their duties as required by law, specifically inquire
 14 of ~~the maker of each list~~ a taxpayer the following:

15 (1) The number, kind, and value of each automobile he or she
 16 owns;

17 (2) The cash or funds on hand, and money on time deposit or
 18 otherwise in any depository, in or out of the state;

19 (3) The taxable securities of every kind and their value, in or
 20 out of the state, he or she may own;

21 (4) What stock, bonds, or mortgages owned and their value, in or
 22 out of the state;

23 (5) What leases or mineral deeds are owned and the value of them
 24 that are contemplated in §§ 26-26-1109 and 26-26-1110;

25 (6) What timber, deeds, or contracts contemplated by § 26-3-205
 26 he or she owns and the value of them; and

27 (7) Any other property of any kind whatsoever that has a value
 28 about which questions have not been asked.

29
 30 SECTION 12. Arkansas Code § 26-26-914 is repealed.

31 ~~26-26-914. Unavoidable failure to list property.~~

32 ~~(a) If any person required to list property for taxation is prevented~~
 33 ~~by sickness or absence from giving to the county assessor the list of~~
 34 ~~property as prescribed by this subchapter, the person, or his or her agent~~
 35 ~~having charge of the property, may, at any time before the making out of the~~
 36 ~~tax books by the county clerk, make out and deliver to the county assessor of~~

1 ~~the county a statement of the same as required by this subchapter. The county~~
2 ~~assessor shall in such case make an entry in the returns of the proper city,~~
3 ~~town, ward, or school district and correct the items in the return made by~~
4 ~~him or her, as the case may require.~~

5 ~~(b) No such statement shall be received by the county assessor from~~
6 ~~any person who has refused or neglected to make oath to his or her statement~~
7 ~~when required by the county assessor under the provisions of this subchapter,~~
8 ~~nor from any person unless he or she has first made and filed with the county~~
9 ~~clerk an affidavit that the person required to list the same was absent from~~
10 ~~his or her county without design to avoid listing his or her property or was~~
11 ~~prevented by sickness from giving to the county assessor the required~~
12 ~~statement when called upon for that purpose.~~

13
14 SECTION 13. Arkansas Code § 26-26-1113 is amended to read as follows:

15 26-26-1113. Property used for other than church purposes.

16 (a) All personal property owned by any church and held for, or used
17 for, commercial, business, rental, or investment purposes or purposes other
18 than church purposes shall be ~~listed for assessment~~ assessed annually for ad
19 valorem tax purposes between the first Monday in January and May 31 of each
20 year.

21 (b) The church or its governing official or board shall annually ~~list~~
22 ~~for assessment~~ assess for ad valorem tax purposes all property which is not
23 exempted from the tax under the provisions of this chapter.

24 (c)(1) The Assessment Coordination Division shall promulgate
25 reasonable rules to effectuate the provisions of this chapter.

26 (2) The division shall certify to the various county assessors
27 and to each church in this state, upon request therefor, guidelines to be
28 used in ~~listing~~ assessing nonexempt property for assessment under the
29 provisions of this chapter.

30
31 SECTION 14. Arkansas Code § 26-26-1202(c)(1), concerning the valuation
32 procedures for the assessment of property for the purpose of property taxes,
33 is amended to read as follows:

34 (c)(1) Personal property of any description shall be valued at the
35 usual selling price of similar property at the time of ~~listing~~ assessment.

36

1 SECTION 15. Arkansas Code § 26-26-1202(e), concerning the valuation
 2 procedures for the assessment of property for the purpose of property taxes,
 3 is amended to read as follows:

4 (e) Money, whether in possession or on deposit in this state, or out
 5 of it subject to the order or control of the person ~~listing~~ assessing
 6 property, shall be ~~entered in the statement~~ assessed at the full amount
 7 thereof.

8
 9 SECTION 16. Arkansas Code § 26-26-1203(b)(1), concerning the valuation
 10 of property of merchants for the purpose of property tax, is amended to read
 11 as follows:

12 (b)(1) The property shall be ~~listed~~ assessed for taxation and in
 13 estimating the value the ~~merchant~~ county assessor shall take the average
 14 value of the property in ~~his or her~~ the merchant's possession or under ~~his or~~
 15 ~~her~~ the merchant's control during the year immediately preceding January 1 of
 16 the year in which the assessment is made.

17
 18 SECTION 17. Arkansas Code §§ 26-26-1204 and 26-26-1205 are amended to
 19 read as follows:

20 26-26-1204. Accounts and notes included in merchant's valuation.

21 Each merchant ~~in giving a list of value of~~ assessing personal property
 22 as provided in § 26-26-1203 shall include in the ~~valuation~~ assessment all
 23 good balances of accounts on his or her books and all notes at their true
 24 value in money, and the ~~list~~ assessment shall be rendered under oath as
 25 prescribed in cases of personal property.

26
 27 26-26-1205. Manufacturers.

28 (a) Every person who shall purchase, receive, or hold personal
 29 property of any description for the purpose of adding to the value thereof by
 30 process of manufacturing, refining, rectifying, or by combination of
 31 different materials, with a view of making a gain or profit by so doing,
 32 shall be held to be a manufacturer. He or she shall make out and deliver to
 33 the county assessor ~~a sworn statement of the amount~~ an assessment of his or
 34 her other personal property subject to taxation, also including in his or her
 35 ~~statement~~ assessment the average value, estimated as provided in § 26-26-
 36 1203, of all articles purchased, received, or otherwise held for the purpose

1 of being used, in whole or in part, in any process or operation of
2 manufacturing, combining, rectifying, or refining which from time to time he
3 or she shall have on hand during the year next previous to the time of making
4 the ~~statement~~ assessment, if so long he or she shall have been engaged in
5 such manufacturing business, and, if not, then during the time he or she
6 shall have been so engaged.

7 (b) Every person owning a manufacturing establishment of any kind and
8 every manufacturer shall ~~list~~ assess as a part of his or her manufacturer's
9 stock the value of all engines and machinery of every description, used or
10 designed to be used for the indicated purpose.

11
12 SECTION 18. Arkansas Code § 26-26-1602(b)(2), concerning the report of
13 property subject to assessment by utilities and carriers, is amended to read
14 as follows:

15 (2) Each such company doing business or authorized to do
16 business in Arkansas and owning or having control of property, or owning or
17 having control of property in Arkansas, shall, through its owner, president,
18 secretary, general manager, or agent having control of the company's affairs
19 in this state, on or before March 1 of each year, ~~make a statement in writing~~
20 ~~to the division showing~~ assess all property subject to assessment and
21 taxation in this state. ~~The statement shall truly show the amount, kind, and~~
22 ~~value of the property as of January 1 next preceding the filing of the annual~~
23 ~~statement.~~ However, in the case of motor carriers, the statement and
24 information shall be filed annually with the division on or before March 31.
25

26 SECTION 19. Arkansas Code § 26-26-1603(a)(8), concerning the
27 information to be furnished annually to the Arkansas Public Service
28 Commission by a utility or carrier for purpose of the assessment of property
29 tax, is amended to read as follows:

30 (8) ~~A detailed statement~~ The total value of all real and
31 personal property owned or controlled by the company and situated in Arkansas
32 on January 1 next preceding, ~~giving the description, location, and value~~
33 ~~thereof,~~ and showing separately that part used in connection with the daily
34 operations of the company and that part used otherwise, if there is any; and
35

36 SECTION 20. Arkansas Code § 26-26-1608 is amended to read as follows:

1 26-26-1608. Assessment when no report or erroneous report filed.

2 If any person, firm, company, copartnership, association, or
3 corporation whose assessment is provided for in this subchapter neglects or
4 refuses to make and file with the Tax Division of the Arkansas Public Service
5 Commission by March 1, the ~~statements and schedules~~ information required by
6 this subchapter, or ~~make such report~~ assess property and fails to show or
7 shows erroneously any information called for that is material to the
8 determination of any fact to be ascertained by the division in connection
9 with the amount, description, location, and value of the property required to
10 be assessed, the division shall inform itself as best it can on the
11 undisclosed facts in order to discharge its duties with respect to the
12 assessment of the property of the company and proceed to assess it.

13
14 SECTION 21. Arkansas Code § 26-26-1611(1), concerning the method of
15 assignment and apportionment of assessed value by the Tax Division of the
16 Arkansas Public Service Commission with respect to the property of utilities
17 and carriers, is amended to read as follows:

18 (1) There shall be deducted from the true market or actual value
19 of the entire property, tangible and intangible, ascertained as provided in
20 this subchapter, the true market or actual value as ascertained from the
21 information furnished ~~by report or otherwise~~ or obtained of all real and
22 personal property of the company not used in its business as a public
23 utility, and the remainder shall be treated as the true market or actual
24 value of all its property, tangible or intangible, actually used or employed
25 in its public utility business;

26
27 SECTION 22. EFFECTIVE DATE. Sections 1-21 of this act are effective
28 for assessment years beginning on or after January 1, 2026.