

Stricken language would be deleted from and underlined language would be added to present law.
Act 1071 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S3/20/13 S4/1/13
A Bill

SENATE BILL 530

By: Senator B. Sample

For An Act To Be Entitled

AN ACT TO MODIFY THE LAW CONCERNING DETACHMENT AFTER
ANNEXATION IN CERTAIN CIRCUMSTANCES; TO PROHIBIT
ENCLAVES; AND FOR OTHER PURPOSES.

Subtitle

TO MODIFY THE LAW CONCERNING DETACHMENT
AND ANNEXATION IN CERTAIN CIRCUMSTANCES.

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

SECTION 1. Arkansas Code Title 14, Chapter 40, Subchapter 5, is amended to add an additional section to read as follows:

14-40-504. Enclaves prohibited.

(a) Whenever practicable, a city or incorporated town shall annex lands that are contiguous and in a manner that does not create enclaves.

(b) As used in this section, "enclave" means an unincorporated improved or developed area that is enclosed within and bounded on all sides by a single city or incorporated town.

SECTION 2. Arkansas Code § 14-40-601 is amended to read as follows:

14-40-601. Application by petition.

(a) ~~Whenever~~ When a majority of the real estate owners of any part of a county contiguous to and adjoining any city or incorporated town ~~shall desire~~ desires to be annexed to the city or town, they may apply, by attested petition in writing, to the county court of the county in which the city or town is *situated* ~~and~~, *shall* name the persons authorized to act on behalf of *the petitioners, and may include a schedule of services of the annexing*



municipality that will be extended to the area within three (3) years after the date the annexation becomes final.

(b) The “majority of real estate owners” referred to in this section ~~shall mean~~ means a majority of the total number of real estate owners in the area affected, if the majority of the total number of owners ~~shall~~ own more than one-half ($\frac{1}{2}$) of the acreage affected.

/s/B. Sample

APPROVED: 04/11/2013