

Stricken language would be deleted from and underlined language would be added to present law.
Act 1072 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S3/18/13 S3/27/13

A Bill

SENATE BILL 531

By: Senator B. Sample

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE REQUIREMENTS
FOR ANNEXATION; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE
REQUIREMENTS FOR ANNEXATION.

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

SECTION 1. Arkansas Code § 14-40-302(b)(1), concerning municipal annexation authority and exceptions, is amended to read as follows:

(b)(1) Contiguous lands shall not be annexed ~~when~~ if they ~~either~~:

(A) ~~Have~~ At the time of the adoption of the ordinance, ~~have~~ a fair market value, ~~at the time of the adoption of the ordinance,~~ of lands used only for agricultural or horticultural purposes and the highest and best use of the lands is for agricultural or horticultural purposes; ~~or~~

(B) Are lands upon which a new community is to be constructed with funds guaranteed, in whole or in part, by the federal government under Title IV of the Housing and Urban Development Act of 1968 or under Title VII of the Housing and Urban Development Act of 1970;

(C) Are lands that do not include residents, except as agreed upon by the mayor and county judge; or

(D) Are lands that do not encompass the entire width of public road right-of-way or public road easements within the lands sought to be annexed, except as agreed upon by the mayor and county judge.

SECTION 2. Arkansas Code § 14-40-302, concerning municipal annexation



authority and exceptions, is amended to add an additional subsection to read as follows:

(d)(1) Whenever practicable, a city or incorporated town shall annex lands that are contiguous and in a manner that does not create enclaves.

(2) 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.

/s/B. Sample

APPROVED: 04/11/2013