

Stricken language would be deleted from and underlined language would be added to present law.
Act 1338 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H4/1/13
A Bill

HOUSE BILL 1395

By: Representatives Williams, Sabin

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE CAPITOL ZONING
DISTRICT COMMISSION; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE CAPITOL
ZONING DISTRICT COMMISSION.

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

SECTION 1. Arkansas Code § 22-3-308(b), concerning coordination by the Capitol Zoning District Commission with other agencies, is amended to read as follows:

(b)(1) Subject to the requirements of due process and consistent with any applicable federal restrictions and regulations as in effect on January 1, ~~2011~~ 2013, the commission may enter into agreements with the City of Little Rock providing for mutual cooperation and joint regulation within the Capitol Zoning District with respect to:

(A) ~~planning~~ Planning and zoning;

(B) ~~permission~~ Permission to build upon or otherwise use land;

(C) ~~the enforcement~~ Enforcement through stop work orders, citations, fines, and inspection to ensure compliance of building, safety, zoning, and health codes; and

(D) ~~other~~ Other matters within the jurisdiction of the commission.

(2)(A) ~~Except to the extent enforcement by the City of Little Rock is authorized in this section, an~~ agreement under subdivision (b)(1) of



this section between the City of Little Rock and the commission ~~may~~ does not cede the commission's final authority and responsibility over the matters *entrusted to it by law.*

(B) All enforcement actions undertaken by the City of Little Rock under this section shall require authorization by the commission prior to the commencement of the enforcement action.

(3)(A) A violation of the commission's regulations is enforceable in Little Rock District Court in the same manner as the enforcement of a violation of a municipal ordinance.

(B) Subdivision (b)(3)(A) of this section applies only to violations that occur on or after the effective date of this act and does not apply to work in place prior to the effective date of this act.

SECTION 2. Arkansas Code § 22-3-310, concerning appeals of Capitol Zoning District Commission actions, is amended to add an additional subsection to read as follows:

(c) This section does not preclude enforcement of the commission's regulations by the City of Little Rock in Little Rock District Court under an agreement with the commission under § 22-3-308.

/s/Williams

APPROVED: 04/18/2013