

Stricken language would be deleted from and underlined language would be added to present law.
Act 1502 of the Regular Session

State of Arkansas *As Engrossed: S3/18/13 S3/25/13 H4/8/13*
89th General Assembly
Regular Session, 2013

A Bill

SENATE BILL 861

By: Senator Irvin

By: Representative Neal

For An Act To Be Entitled

AN ACT TO AMEND THE LAW TO ALLOW MORE TRANSPARENCY IN
ANNEXATION AND DETACHMENT PROCEEDINGS; AND FOR OTHER
PURPOSES.

Subtitle

THE ANNEXATION AND DETACHMENT
TRANSPARENCY ACT.

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

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

14-40-2201. Annexation and provision of scheduled services.

(a)(1) Beginning March 1, 2014, and each successive year thereafter, the mayor or city manager of a city or incorporated town shall file annually with the city clerk or recorder, town recorder, and county clerk a written notice describing any annexation elections that have become final in the previous eight (8) years.

(2) The written notice shall include:

(A) The schedule of services to be provided to the inhabitants of the annexed portion of the city; and

(B) A statement as to whether the scheduled services have been provided to the inhabitants of the annexed portions of the city.

(b) If the scheduled services have not been provided to the new inhabitants within three (3) years after the date the annexation becomes final, the written notice reporting the status of the extension of scheduled



services shall include a statement of the rights of inhabitants to seek detachment.

(c) A city or incorporated town shall not proceed with annexation elections if there are pending scheduled services that have not been provided in three (3) years as prescribed by law.

14-40-2202. Inhabitants of annexed area.

(a) In all annexations under § 14-40-303 and in accordance with § 14-40-606, after the territory declared annexed is considered part of a city or incorporated town, the inhabitants residing in the annexed portion shall:

(1) Have all the rights and privileges of the inhabitants of the annexing city or incorporated town; and

(2)(A) Be extended the scheduled services within three (3) years after the date the annexation becomes final.

(B) The mayor of the municipality shall file a report with the city clerk or recorder, town recorder, and county clerk of the extension of scheduled services.

(b) If the scheduled services have not been extended to the area and property boundaries of the new inhabitants within three (3) years after the date annexation becomes final, the written notice reporting the status of the extension of scheduled services shall:

(1) Include a written plan for completing the extension of services and estimated date of completion; and

(2) Include a statement of the rights of inhabitants to seek detachment.

(c) A city or incorporated town shall not proceed with any additional annexation elections if there are pending scheduled services that have not been extended as required under this subchapter.

/s/Irvin

APPROVED: 04/23/2013