

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/10/17 H3/21/17

A Bill

HOUSE BILL 2238

By: Representative Love
By: Senator J. Hutchinson

For An Act To Be Entitled

AN ACT TO AMEND THE LAW TO CREATE TRANSPARENCY AND
ACCOUNTABILITY IN MUNICIPAL IMPROVEMENT DISTRICTS;
AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW TO CREATE TRANSPARENCY
AND ACCOUNTABILITY IN MUNICIPAL
IMPROVEMENT DISTRICTS.

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

SECTION 1. Arkansas Code § 14-88-301(a)(1)(A)(ii)(a)(2), concerning the appointment of commissioners, is amended to read as follows:

(2) Petition to the city or town council signed by fifteen percent (15%) of the property owners of record within representing ten percent (10%) or more of the assessed properties in the improvement district and that designates persons to fill the newly-created positions on the board of commissioners who shall be property owners of assessed properties in the improvement district.

*SECTION 2. Arkansas Code § 14-88-303 is amended to read as follows:
14-88-303. Vacancies generally.*

(a) ~~All vacancies~~ A vacancy that may occur occurs after a municipal board ~~shall have been~~ is organized shall be filled by the city or town council.

(b) ~~If all places~~ a position on the board ~~shall become~~ is vacant ~~or those~~ because of a resignation, death, removal under § 14-88-305, refusal to



~~act, or negligence appointed shall refuse or neglect to act, a new members member shall be appointed by the city or town council, as in the first instance, except that after July 1, 1999, in cities of the first class with a population of between sixty one thousand five hundred (61,500) and sixty two thousand (62,000) persons according to the 1990 Federal Decennial Census, new members shall be appointed only for the remainder of the vacant term and no person who is removed as a commissioner shall qualify if a petition under § 14-88-304(b)(1) is filed.~~

SECTION 3. Arkansas Code § 14-88-304(b)(1), concerning petitions of property owners to fill vacancies, is amended to read as follows:

~~(b)(1) Upon the filing of a petition with the council signed by ten percent (10%) or more of property owners in the improvement district affected reciting that any commissioner is no longer a property owner in the improvement district and accompanied by a corroborative certificate of an abstractor, the person shall automatically cease to be a commissioner~~ A person shall cease to be a commissioner on the board of commissioners upon the filing of a petition with the city or town council that:

(A) Is signed by property owners representing ten percent (10%) or more of the assessed properties in the improvement district affected;

(B) Recites that the commissioner is no longer a property owner in the improvement district;

(C) Is accompanied by a corroborative certificate of an abstractor;

(D) A vacancy exists under § 14-88-303; and

(E) Designates a person to fill the vacancy who is a property owner of assessed property in the improvement district.

SECTION 4. Arkansas Code § 14-89-1501(a), concerning quarterly financial reports, is amended to read as follows:

(a)(1) All improvement districts in any city or incorporated town in this state established for the purpose of making improvements for municipal purposes shall meet at least four (4) times per year or quarterly.

(2) Notice of ~~all meetings~~ each meeting, including ~~quarterly meetings~~ without limitation each quarterly meeting under this section, shall

be given by the improvement district to all record owners of property in the district ~~at least~~ no more than thirty (30) days before the meeting date and no less than ten (10) days ~~prior to~~ before the meeting date.

/s/Love

APPROVED: 04/05/2017