

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: H4/9/13  
**A Bill**

HOUSE BILL 1741

By: Representative Westerman

### **For An Act To Be Entitled**

AN ACT TO ALLOW UNINCORPORATED AREAS OF THE COUNTY TO  
BE FREE FROM REGULATIONS OF CITIES ON ROAD STANDARDS  
AND PLANNING ORDINANCES; AND FOR OTHER PURPOSES.

### **Subtitle**

TO ALLOW FOR REDUCTION OF REGULATION BY  
CITIES IN UNINCORPORATED AREAS OF  
COUNTIES.

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

SECTION 1. Arkansas Code § 14-17-203(f), concerning the creation and organization of county planning boards, is amended to read as follows:

(f)(1) County quorum courts may elect to assume the powers, duties, and functions of the board.

(2) Such determination shall be implemented by ordinance.

(3) A court ~~which~~ that elects to exercise this option shall not be bound by ~~the provisions of~~ this section and § 14-17-204, but may, by ordinance, establish ~~such~~ administrative changes as may be appropriate.

(4)(A) This subchapter does not prohibit the quorum court from establishing by ordinance county road standards for the unincorporated areas of the county.

(B) As used in this subsection, "road standards" means the design, materials, and construction criteria for public roadways other than state or federal highways or interstates in the unincorporated area of a county.



SECTION 2. Arkansas Code § 14-17-206, concerning the purpose and content of a county plan by a county planning board, is amended to add an additional subsection to read as follows:

(e) If provided by county ordinance, ordinances establishing road standards by the county may be exclusive and supersede and render null and void the respective city ordinances concerning road standards as defined under § 14-17-203(f) in the unincorporated areas of the county.

SECTION 3. Arkansas Code § 14-56-414, concerning the preparation of municipal plans, is amended to add an additional subsection to read as follows:

(f) If a county has provided by ordinance road standards to be exclusive in the unincorporated areas of the county, the county road standards as defined under § 14-17-203(f) shall supersede and render null and void the respective municipal ordinances in the unincorporated areas of the county.

*/s/Westerman*