

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

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/17/15
A Bill

HOUSE BILL 1657

By: Representatives Sturch, *L. Fite*

By: Senator Irvin

For An Act To Be Entitled

AN ACT TO ADDRESS PETITIONS FOR MUNICIPAL
INCORPORATION; TO ADDRESS CERTAIN ANNEXATION
REQUIREMENTS; AND FOR OTHER PURPOSES.

Subtitle

TO ADDRESS PETITIONS FOR MUNICIPAL
INCORPORATION AND TO ADDRESS CERTAIN
ANNEXATION REQUIREMENTS.

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

SECTION 1. Arkansas Code § 14-38-101(a) and (b)(1), concerning petitions for incorporation, are amended to read as follows:

(a)(1) When the inhabitants of a part of ~~any a~~ county not embraced within the limits of any city or incorporated town ~~shall~~ desire to be organized into a city or incorporated town, they may apply, by a petition in writing, signed by the greater of either ~~two hundred (200)~~ three hundred fifty (350) or a majority of the qualified voters residing within the described territory, to the county court of the proper county.

(2) The petition shall:

(A) Describe the territory proposed to be embraced in the incorporated town and have annexed to ~~it~~ the petition an accurate map or plat of the territory;

(B) State the name proposed for the incorporated town; and

(C) Name the persons authorized to act in behalf of the petitioners in prosecuting the petition.



(b)(1) The court shall not approve the incorporation of ~~any a~~ a municipality if any portion of the territory proposed to be embraced in the incorporated town ~~shall lie~~ lies within ~~five (5)~~ three (3) miles of an existing municipal corporation ~~and within the area in which that existing municipal corporation is exercising its planning territorial jurisdiction,~~ unless the governing body of the municipal corporation has affirmatively consented to the incorporation by written resolution.

SECTION 2. Arkansas Code § 14-40-302(c), concerning municipal annexation of contiguous land, is amended to read as follows:

(c) However, a municipality ~~having a population of fewer than one thousand (1,000) persons~~ shall not annex in any one (1) calendar year contiguous lands in excess of ten percent (10%) of the current land area of the municipality.

/s/Sturch