

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: H3/10/15
A Bill

HOUSE BILL 1710

By: Representative Neal
By: Senator Hester

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING A MUNICIPAL
BOUNDARY LINE AND ANNEXATION; AND FOR OTHER PURPOSES.

Subtitle

*TO AMEND THE LAW CONCERNING A MUNICIPAL
BOUNDARY LINE AND ANNEXATION; AND TO
DECLARE AN EMERGENCY.*

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

SECTION 1. Arkansas Code Title 14, Chapter 40, Subchapter 2, is amended to add an additional section to read as follows:

14-40-207. Building situated or to be situated upon municipal boundary line – Option to choose municipal location.

(a)(1) A property owner who has a building that is currently situated upon the boundary line between two (2) municipalities may choose either one (1) of the municipalities as the legal location of the building.

(2) When the expansion of a building will result in the expansion's being situated upon the boundary line between two (2) municipalities, the property owner of the building may choose either one (1) of the municipalities as the legal location of the building if the property owner has first obtained the necessary authorizations or permits for expansion of the building from the municipality upon which the building is located before the expansion or the municipality upon which the building expansion will be located.

(b)(1) The property owner shall provide written notice to the



governing body of both municipalities as to which municipality is chosen under subsection (a) of this section.

(2) The written notice to the chosen municipality shall include a request for annexation into the chosen municipality.

(c) The property upon which the building is situated or will be situated after expansion and up to two (2) acres of the property owner's property surrounding the building and expansion shall be annexed into the municipality chosen by the owner under subsection (a) of this section.

(d) Within sixty (60) days of receipt of the written notice under subsection (b) of this section, the municipality chosen by the owner under subsection (a) of this section shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant area.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there are some property owners in Arkansas with property that crosses the boundary of two (2) municipalities; that the physical location of a building on the property is sometimes on the boundary line, causing sales tax and other issues for the property owners; and that this act is immediately necessary to ensure that there is clarity to the property owner and to the municipalities as to which municipality is the legal location of the property. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Neal