

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

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1335

By: Representatives Cozart, Gates

By: Senator A. Clark

## For An Act To Be Entitled

AN ACT TO CREATE A DETACHMENT PROCEDURE FOLLOWING THE  
ANNEXATION OF SURROUNDED LAND; TO DECLARE AN  
EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

TO CREATE A DETACHMENT PROCEDURE  
FOLLOWING THE ANNEXATION OF SURROUNDED  
LAND; 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 5, is amended to add an additional section to read as follows:

14-40-505. Petition for detachment by qualified electors in annexed territory.

(a) If within one (1) year from the annexation of surrounded land under this subchapter a majority of the qualified electors in the annexed territory submit a petition to the governing body of the municipality calling for the detachment of the annexed land from the municipality, the municipality shall detach the annexed territory by ordinance and return the territory to the county.

(b)(1) Upon the detachment of the territory under subsection (a) of this section, the county court shall order the return of the property into the county.

(2) A copy of the order shall be transmitted to the Secretary of State and the Arkansas Geographic Information Systems Office.



SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there are many areas across the state subject to annexation by a municipality; that because of the procedural requirements of the annexation, the annexation can occur without majority support of the electors in the annexed area; and that this act is immediately necessary because it gives the majority of the electors in the annexed area the ability to detach from the municipality if desired. 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.