

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 1836

By: Representative Brown

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING ORDINANCE
PUBLICATION REQUIREMENTS OF CITIES AND COUNTIES; AND
FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING ORDINANCE
PUBLICATION REQUIREMENTS OF CITIES AND
COUNTIES.

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

SECTION 1. Arkansas Code § 14-14-104 is amended to read as follows:
14-14-104. Publication requirements.

~~(a)~~ Unless otherwise specifically provided, when a county government is required to publish, publication shall be by ~~a~~:

(1) A one-time insertion in a newspaper of general circulation in the county; ~~or~~

~~(b) Where no newspaper of general circulation exists in a county, publication may be made by~~ (2) Publication on a website owned by or affiliated with the county and by posting in three (3) public places which ~~that~~ have been designated by ordinance.

SECTION 2. Arkansas Code § 14-14-105 is amended to read as follows:
14-14-105. Notice by publication.

Unless otherwise specifically provided, when notice of a hearing or other official act is required by a county government, ~~the following provisions shall apply:~~



(1)(A)(i) The notice shall be published two (2) times with at least six (6) days separating each publication.

(ii) The first publication shall be no more than thirty (30) days ~~prior to~~ before the action, and the last publication shall be no less than three (3) days ~~prior to~~ before the action.

(B) Alternatively, the notice may be published for fourteen (14) consecutive days on a website owned by or affiliated with the county and by posting in three (3) public places that have been designated by ordinance;

(2) The published notice shall contain:

(A) The date, time, and place at which the hearing or other action will occur;

(B) A brief statement of the action to be taken; and

(C) Any other information ~~which~~ that may be required by the specific provision of law requiring notice.

SECTION 3. Arkansas Code § 14-14-903(d)(1), concerning codification of ordinances, is amended to read as follows:

(1) At five-year intervals, county ordinances of a general and permanent nature enacted in each of the several counties shall be compiled into a uniform code and published on a website owned by or affiliated with the county.

SECTION 4. Arkansas Code § 14-55-206 is amended to read as follows:
14-55-206. Publishing or posting requirements.

(a)(1)(A)(i) ~~All~~ Notice of all bylaws or ordinances of a general or permanent nature and all those imposing any fine, penalty, or forfeiture shall be published in some newspaper published in the municipality.

(ii) Bylaws or ordinances under subdivision (a)(1)(A)(i) of this section shall be published on a website owned by or affiliated with the municipality.

(B) In municipalities in which no newspaper is published, written or printed notice posted in five (5) of the most public places designated by the governing body in an ordinance or minutes of the governing body ~~shall be deemed~~ is a sufficient publication of notice of any law or ordinance.

(2) It ~~shall be deemed~~ is a sufficient defense to any suit or prosecution of such fine, penalty, or forfeiture to show that no notice was given as provided ~~herein~~ under this section.

(b)(1) As to ordinances establishing rules and regulations for zoning, construction of buildings, the installation of plumbing, the installation of electric wiring, or other similar work, ~~where such~~ in which the rules and regulations have been printed as a code in book form, the code or the provisions ~~thereof~~ may be published by the municipality by reference to title of the code without further publication or posting ~~thereof~~.

(2) However, ~~no fewer than~~ a minimum of three (3) copies of the code shall be filed for use and examination by the public in the office of the clerk or recorder of the municipality after the adoption ~~thereof~~ if there is no electronic form of the code available for examination by the public.