

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S3/16/17
A Bill

SENATE BILL 541

By: Senator Hickey
By: Representative J. Williams

For An Act To Be Entitled

AN ACT CONCERNING MUNICIPAL INCORPORATION NEAR THE
BOUNDARIES OF AN EXISTING MUNICIPALITY; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING MUNICIPAL INCORPORATION NEAR
THE BOUNDARIES OF AN EXISTING
MUNICIPALITY.

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

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

(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 within~~ lies within:

(A) ~~five (5)~~ Three (3) miles of an existing municipal corporation and within the; or

(B)(i) 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.

(ii) If the area that seeks to be incorporated contains a population that equals or exceeds five thousand (5,000) persons, the consent of the governing body of the existing municipal corporation is not required.



/s/Hickey