

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1855

By: Representative Ennett
By: Senators K. Hammer, J. Scott

For An Act To Be Entitled

AN ACT TO AMEND THE LAWS CONCERNING THE POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE AND THE ARKANSAS FORESTRY COMMISSION; TO AMEND THE LAWS RELATING TO FIRE PROTECTION DISTRICTS; TO AMEND THE AUTHORITY OF THE DEPARTMENT OF AGRICULTURE TO ADJUST FIRE PROTECTION DISTRICT BOUNDARIES HAVING OVERLAPPING BOUNDARIES; TO AMEND THE AUTHORITY OF THE DEPARTMENT OF AGRICULTURE TO RECOMMEND CHANGES TO OTHER FIRE PROTECTION DISTRICT BOUNDARIES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAWS CONCERNING THE POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE AND THE ARKANSAS FORESTRY COMMISSION; AND TO AMEND THE LAWS RELATING TO FIRE PROTECTION DISTRICT BOUNDARIES.

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

SECTION 1. Arkansas Code § 14-284-125 is amended to read as follows:
14-284-125. Boundaries of overlapping, abutting, or contiguous districts — Definition.

(a)(1) ~~The State Forestry Commission~~ Department of Agriculture ~~shall have authority~~ may make recommendations to the county court to adjust the boundaries of ~~fire protection districts~~.



(A) Districts having overlapping boundaries;

(B) Districts abutting an area for which there is no fire protection service; or

(C) Contiguous districts.

~~The commission shall adjust the boundaries of overlapping fire districts upon the request of either district. The commission shall adjust the boundaries so that each district receives approximately fifty percent (50%) of the area that is within the boundaries of both districts.~~

(2)(A) Except as provided in subdivision (a)(2)(B) of this section, a district may request in writing a recommendation for an adjustment from the Department of Agriculture under this section.

(B) A contiguous district may make a request under subdivision (a)(2)(A) of this section:

(i) If an agreement exists among the affected districts; or

(ii) Upon a showing of good cause for the alteration of the boundaries of the districts.

(3) The Department of Agriculture shall notify the district that requested the recommendation under subdivision (a)(2) of this section if the Department of Agriculture will make a recommendation to adjust the boundaries under this section.

(b) If the Department of Agriculture makes a recommendation under this section to adjust the boundaries of a district:

(1) Within thirty (30) days of the recommendation, the district that requested a recommendation under subdivision (a)(2) of this section shall file a petition to adjust the boundary with the county court of the county in which the area of adjustment exists and shall attach the recommendation to the petition;

(2) Upon the setting of a hearing by the county court, the district that requested a recommendation under subdivision (a)(2) of this section shall provide public notice of the county court hearing by publication in a newspaper of general circulation in the county at least one (1) time, one (1) week in advance of the county court hearing; and

(3) The county court shall:

(A)(i) Consider the recommended adjustment of boundaries filed under subdivision (b)(1) of this section and shall enter an order:

(a) Accepting the recommended adjustment of the boundaries;

(b) Rejecting the recommended adjustment of the boundaries and maintaining the existing boundaries; or

(c) Rejecting the recommended adjustment of the boundaries and adjusting the boundaries as determined by the county court to be just and proper.

(ii) If the boundaries are altered under subdivision (b)(3)(A)(i) of this section, the order of the county court shall contain a legal description and a map depicting the adjusted boundary or boundaries; and

(B) Create a new fire protection district map under § 12-10-329 if the boundaries are altered under subdivision (b)(3)(A)(i) of this section.

(c) This section is supplemental to other provisions of law regarding the establishment of district boundaries, including without limitation § 14-20-108.

(d)(1) As used in this section, "district" means a district that provides fire protection services.

(2) As used in this section, "district" includes without limitation a:

(A) Nonprofit fire protection corporation or association;

(B) Nonprofit corporation organized as a volunteer fire department or a rural fire department;

(C) Fire protection district organized under § 14-284-101 et seq. or § 14-284-201 et seq.;

(D) Suburban fire improvement district organized under § 14-92-201 et seq.; and

(E) County-created subordinate service district that provides fire protection services under §§ 14-14-708 and 14-14-709.