

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

SENATE BILL 518

By: Senator Hester

By: Representative Gonzales

### For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE AUTHORIZATION OF A LOCAL GOVERNMENT TO REGULATE DEVELOPMENT AND USE OF LAND IN A FLOOD-PRONE AREA; TO PROHIBIT A LOCAL GOVERNMENT FROM ENACTING REGULATIONS IN A FLOOD-PRONE AREA THAT ARE MORE RESTRICTIVE THAN THE REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM WITHOUT COMPENSATION FOR DIMINUTION IN VALUE OF THE AREA; AND FOR OTHER PURPOSES.

### Subtitle

TO PROHIBIT A LOCAL GOVERNMENT FROM ENACTING REGULATIONS IN A FLOOD-PRONE AREA THAT ARE MORE RESTRICTIVE THAN THE REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM IN CERTAIN INSTANCES.

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

SECTION 1. Arkansas Code § 14-268-104 is amended to read as follows:  
14-268-104. Authority to adopt measures.

(a) In addition to all other powers, and notwithstanding any provision of any other law, except as provided in subsection (c) of this section, each city, town, or county in this state is authorized to enact, adopt, and enforce ordinances, building or zoning codes, or other appropriate measures regulating, restricting, or controlling the management and use of land, structures, and other developments in flood-prone areas.

(b) The measures, in addition to all other matters, may:



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- (1) Restrict the development and use of land which is exposed to flood damage;
- (2) To the extent possible, guide the development of proposed construction away from locations threatened by flood hazards;
- (3) Prescribe assistance in reducing flood damage;
- (4) Require flood-proofing of structures which are permitted to remain in, or are to be constructed in, flood-prone areas;
- (5) Prescribe regulation of the types, purposes, and uses of structures, buildings, developments, or fills permitted to be erected or improved in flood-prone areas;
- (6) Require drainage and such other action as is feasible to minimize flooding; and
- (7) Assure the adequacy of sewerage and water systems that may be affected by flooding.

(c) A city, town, or county shall not adopt an ordinance, building or zoning code, or other measure to regulate, restrict, or control the management and use of land, structures, or other developments in an area designated by the Federal Emergency Management Agency as a special flood hazard area that is more restrictive than the specific guidelines by flood zone under the National Flood Insurance Program, 42 U.S.C. § 4011 et seq., as it existed on January 1, 2025, without compensation for diminution in value of the special flood hazard area.