

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

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S2/10/25 S2/19/25

A Bill

SENATE BILL 87

By: Senator M. Johnson

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING COUNTY PLANNING;
TO CREATE A PENALTY FOR VIOLATING A SUBDIVISION
ORDINANCE; TO AMEND THE LAW CONCERNING THE MEMBERSHIP
OF A COUNTY PLANNING BOARD IN CERTAIN INSTANCES; AND
FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING COUNTY
PLANNING; TO CREATE A PENALTY FOR
VIOLATING A SUBDIVISION ORDINANCE; AND
TO AMEND THE LAW CONCERNING THE
MEMBERSHIP OF A COUNTY PLANNING BOARD IN
CERTAIN INSTANCES.

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

SECTION 1. Arkansas Code § 14-17-203(a), concerning members of a county planning board, is amended to read as follows:

(a)(1) With the approval of the majority of the members of the county quorum court, the county judge of any county may create a county planning board.

(2) The Except as provided in subdivision (a)(4) of this section, the county planning board shall consist of not less than five (5) members nor more than twelve (12) members appointed by the judge and confirmed by the court.

(3) At least one-third ($\frac{1}{3}$) of the members shall not hold any other elective office or appointment, except membership on a municipal or



joint planning commission or a zoning board of adjustment.

(4) A county with a population of two hundred thousand (200,000) or more according to the most recent federal decennial census that contains eight (8) municipalities or less shall select members of the county planning board in the following manner:

(A) Members shall be appointed by the county judge and confirmed by a majority of the members of the county quorum court representing any part of an unincorporated area of the county; and

(B) At least two-thirds (2/3) of the voting members of the county planning board shall reside in an unincorporated area of the county.

SECTION 2. Arkansas Code § 14-17-207(f), concerning enforcement of official plans and implementing ordinances, is amended to read as follows:

(f)(1)(A) The quorum court shall provide for the means of enforcing the official plan or zoning, subdivision, setback, and entry control ordinances, shall provide penalties for violations, and may seek appropriate remedies for violations.

(B) A person who knowingly violates a subdivision ordinance requiring plat approval by the county planning board before a parcel of land can be sold is subject to a civil penalty of:

(i) Five hundred dollars (\$500) for a first violation;

(ii) One thousand dollars (\$1,000) for a second violation;

(iii) One thousand five hundred (\$1,500) for a third violation; and

(iv) Two thousand dollars (\$2,000) for a fourth violation or subsequent violation.

(2) Any individual aggrieved by a violation of any such plan or ordinance may request an injunction against any individual or property owner in violation or may mandamus any official to enforce the provisions of the ordinance.

/s/M. Johnson