

**Hall of the House of Representatives**  
84th General Assembly - Regular Session, 2003  
**Amendment Form**

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**Subtitle of House Bill No. 2643**

"TO AMEND THE ARKANSAS LAW ON MUNICIPAL CONSOLIDATIONS TO REVISE  
THE PROCEDURES FOR CONSOLIDATING CITIES."

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**Amendment No. 1 to House Bill No. 2643.**

Amend House Bill No. 2643 as originally introduced:

Page 2, line 26, add new sections to the bill to read as follows:

"SECTION 2. Arkansas Code § 14-40-1202, concerning the special election called for the consolidation of two (2) cities, is amended to add an additional subsection to read as follows:

(c) In order to provide for an orderly transition of affairs, if the petition calls for a delay in the implementation of the consolidation, the consolidation shall not take effect until the date specified in the petition, except that the consolidation shall not be delayed longer than eighteen (18) months from the date the election results are declared by the court.

SECTION 3. Arkansas Code § 12-40-1203 is amended to read as follows:  
14-40-1203. Election results.

(a) At any election held under this subchapter, all qualified electors who are residents of either municipality shall be allowed to vote on the adoption or rejection of the proposed annexation or consolidation and the name of the proposed consolidated municipality.

(b)(1)(A)(i) If a majority of the votes cast in each of the respective municipalities, considered as a separate and distinct unit and without reference to the vote cast in the other, shall be in favor of the consolidation or annexation, then the county court shall declare, by an appropriate order, the annexation or consolidation consummated, unless the petition has requested a delayed date for implementation of the consolidation.

(ii) If the petition calls for a delay in the implementation of the consolidation and if a majority of the votes cast in each of the respective municipalities shall be in favor of the consolidation, then the county court shall order the annexation or consolidation consummated on the date specified in the petition, except that the date shall not be more than eighteen (18) months after the date election results are declared by the court.

(B)(i) If a majority of the votes cast in each of the respective municipalities, considered as a separate and distinct unit and



without reference to the vote cast in the other, shall be in favor of the same name of the municipality, then the county court shall declare, by appropriate order, the name of the consolidated municipality.

(ii) If a majority of the votes cast in each of the respective municipalities, considered as a separate and distinct unit and without reference to the vote cast in the other, shall not be in favor of the same name of the municipality, then the county court shall declare, by appropriate order, the name of the consolidated municipality to be the name of the larger municipality.

(C) Upon the making of the order, the smaller municipal corporation and the territory comprising it shall, in law, be deemed and be taken to be included and shall be a part of the larger municipal corporation, and the inhabitants thereof shall in all respects be citizens of the larger municipal corporation.

(2) If a majority of the votes of either municipal corporation shall be against annexation, then the city or incorporated town shall not be again permitted to attempt the consolidation for two (2) years.

SECTION 4. Arkansas Code § 14-40-1207 is amended to read as follows:  
14-40-1207. Special election of aldermen or all city officials.

(a)(1) ~~The~~ Except as provided under subdivision (a)(2) of this section, the city or town council shall call a special election of aldermen, to be held at such times and places as it may direct in the wards of the smaller municipality and for the election of aldermen from any other new wards that may be created by the council out of territory included in the larger city or incorporated town before the annexation, as provided for in this subchapter.

(2) If the petition calls for a citywide election for all officials of the new consolidated city or incorporated town, then the city or town council shall call a special election for all city or town officials to be held at the times and places as it may direct throughout each ward of the consolidated city or incorporated town.

(3) If the implementation of the consolidation of the cities or towns is delayed, the special election for new aldermen or all city officials shall be held at least forty-five (45) days before the effective date of the consolidation.

(b) Each ward of the consolidated city or incorporated town shall have two (2) aldermen, to be elected in the same manner and for the same term as aldermen are elected in cities and incorporated towns.”

The Amendment was read \_\_\_\_\_  
By: Representative King  
EAN/VJF - 031420031556  
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Chief Clerk