

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

Subtitle of House Bill No. 2809

"TO REQUIRE THE APPROVAL OF VOTERS WITHIN THE CITY'S TERRITORIAL
PLANNING JURISDICTION BEFORE PLANNING JURISDICTION IS EXERCISED."

Amendment No. 1 to House Bill No. 2809.

Amend House Bill No. 2809 as originally introduced:

Page 1, line 9, delete "VOTERS" and substitute "PEOPLE"

And

Page 1, line 15, delete "VOTERS" and substitute "PEOPLE"

AND

Page 1, delete lines 26 through 34 and substitute the following:

"(c) No city having a planning commission shall exercise planning or zoning jurisdiction over an area outside the city's corporate limits that is designated for territorial jurisdiction without the consent of the people in the designated area using one (1) of the two (2) following procedures:

(1) Upon petitions signed by at least a majority of the number of owners of real property located within the designated area consenting to the city exercising the jurisdiction over the designated area; or

(2) After an election held in accordance with the procedure prescribed by § 14-40-303 and then only if a majority of those voting in the election vote in favor of the exercise of the jurisdiction.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that present law does not provide adequate due process to residents of unincorporated areas to the extent they are within the territorial planning authority of an adjoining municipality; that this act provides that due process; and that until this act becomes effective a large portion of the population of this state will suffer disenfranchisement in regard to municipal planning authority. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;



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(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

The Amendment was read _____
By: Representative Walters
LDH/MHF - 031420030758
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