

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Thicksten**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO GRANT EMINENT DOMAIN POWER TO THE ARKANSAS
9 EDUCATION TELEVISION COMMISSION; AND FOR OTHER PURPOSES."

Subtitle

12 "TO GRANT EMINENT DOMAIN POWER TO THE ARKANSAS EDUCATION
13 TELEVISION COMMISSION."

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

17 SECTION 1. (a) The Arkansas Education Television Commission is hereby
18 granted the right of eminent domain to condemn real property leased or rented
19 by the commission if the property is deemed to be necessary or desirable by
20 the commission for making the benefits of educational television available to
21 the citizens of Arkansas or to otherwise carry out the purposes of Act 198 of
22 1961, as amended, and the commission is unable to agree with the owner of the
23 land, or if by legal incapacity or absence of the owner, no agreement can be
24 made for the purchase.

25 (b) All suits for condemnation of real property under the provisions of
26 this act shall be brought by the Arkansas Education Television Commission in
27 the name of the State of Arkansas.

28 (c) The real property may be acquired in fee simple or in any lesser
29 estate.

31 SECTION 2. The commission is authorized to make payment for real
32 property acquired under the provisions of this act out of any appropriation
33 made for the Arkansas Educational Television Commission. No land shall be
34 taken or contracted to be taken for an amount beyond the sum available
35 therefor.

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SECTION 3. The commission shall exercise the power of eminent domain in the manner provided for in Arkansas Code Annotated § 27-67-311 et seq., as amended.

SECTION 4. Actions by the commission to condemn real property shall be brought in the county in which the land is situated. If the land is located in more than one (1) county, the action may be brought in any county in which the land is situated.

SECTION 5. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 7. All laws and parts of laws in conflict with this act are hereby repealed.

