

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

HOUSE BILL 2643

5 By: Representative King
6
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For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS LAW ON MUNICIPAL
10 CONSOLIDATIONS TO REVISE THE PROCEDURES FOR
11 CONSOLIDATING CITIES; AND FOR OTHER PURPOSES.
12

Subtitle

13 TO AMEND THE ARKANSAS LAW ON MUNICIPAL
14 CONSOLIDATIONS TO REVISE THE PROCEDURES
15 FOR CONSOLIDATING CITIES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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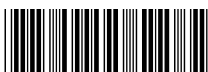
21 SECTION 1. Arkansas Code § 14-40-1201 is amended to read as follows:
22 14-40-1201. Petition for consolidation.

23 ~~(a)(1) [Repealed].~~

24 (2)(a)(1) Beginning July 1, 1995, when the inhabitants of any
25 city or incorporated town adjoining or contiguous to another smaller
26 municipal corporation of any class in the same county, municipal corporations
27 separated by a river shall be deemed contiguous, shall desire that the city
28 or incorporated town annex to it or consolidate with it the smaller municipal
29 corporation, they may apply, by a petition in writing, signed by a number of
30 qualified electors from each of the municipal corporations equal to not less
31 than fifteen percent (15%) of the total vote cast for the office of mayor in
32 the respective city or town in the last preceding general election, to the
33 city or town council of the larger municipal corporation.

34 ~~(3)(2)~~ The petition shall:

35 (A) Describe the municipal corporations to be
36 consolidated; and



1 (B) Name the persons authorized to act in behalf of the
2 petitioners in presenting the petition as provided for in this section.

3 ~~(4)(A)~~(3)(A) Beginning July 1, 1995, the petitions shall be
4 filed with the city clerk or town recorder of each municipal corporation, who
5 shall determine the sufficiency of the petitions in each municipality.

6 (B)(i) If any petition is determined insufficient, he
7 shall notify the petitioners in writing without delay, and the petitioners
8 shall be permitted ten (10) days from the notification to solicit additional
9 signatures or to prove any rejected signatures.

10 (ii) If the city clerk or town recorder of the
11 respective municipalities shall decide the petitions are sufficient, they
12 shall each notify the petitioners in writing and shall present the petitions
13 to the city or town council of the larger municipal corporation.

14 (b)(1)(A) When the petition is presented to the council, ~~it shall be~~
15 ~~lawful for the council to~~ the council shall pass an ordinance in favor of the
16 annexation and approving and ratifying the petition.

17 (B) If the council fails to pass the ordinance required
18 under subdivision (b)(1)(A) of this section, then any interested party may
19 apply for a writ of mandamus to require the performance of the requirement.

20 (2) In that event, it shall be the duty of the persons named in
21 the petition authorized to act in behalf of the petitioners to file the
22 petition, together with a certified copy of the ordinance, in the office of
23 the county clerk of the county in which the municipal corporations are
24 situated.

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