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	As Engrossed: H3/17/03		
2	84th General Assembly	A Bill		
3	Regular Session, 2003		HOUSE BILL 2809	
4				
5	By: Representative Walters			
6				
7				
8	For An Act To Be Entitled			
9	AN ACT TO REQUIRE THE APPROVAL OF PEOPLE WITHIN			
10	THE CITY'S TERRITORIAL PLANNING JURISDICTION			
11	BEFORE PLANNING JURISDICTION IS EXERCISED; AND			
12	FOR OTH	ER PURPOSES.		
13				
14	Subtitle			
15	TO REQUIRE THE APPROVAL OF PEOPLE WITHIN			
16	THE	CITY'S TERRITORIAL PLANNING		
17	JURISDICTION BEFORE PLANNING			
18	JURI	SDICTION IS EXERCISED.		
19				
20				
21	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:			
22				
23	SECTION 1. Arka	ansas Code § 14-56-413, concerning th	ne territorial	
24	jurisdiction of a city planning commission, is amended to add an additional			
25	subsection to read as	follows:		
26	(c) No city hav	ving a planning commission shall exer	cise planning or	
27	zoning jurisdiction or	ver an area outside the city's corpor	ate limits that is	
28	designated for territorial jurisdiction without the consent of the people in			
29	the designated area u	sing one (1) of the two (2) following	g procedures:	
30	(1) Upon petitions signed by at least a majority of the number			
31	of owners of real property located within the designated area consenting to			
32	the city exercising the jurisdiction over the designated area; or			
33	<u>(2) Afte</u>	(2) After an election held in accordance with the procedure		
34	prescribed by § 14-40-303 and then only if a majority of those voting in the			
35	election vote in favo	r of the exercise of the jurisdiction	<u>1.</u>	
36				

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As Engrossed: H3/17/03 HB2809

1	SECTION 2. EMERGENCY CLAUSE. It is found and determined by the			
2	General Assembly of the State of Arkansas that present law does not provide			
3	adequate due process to residents of unincorporated areas to the extent they			
4	are within the territorial planning authority of an adjoining municipality;			
5	that this act provides that due process; and that until this act becomes			
6	effective a large portion of the population of this state will suffer			
7	disenfranchisement in regard to municipal planning authority. Therefore, a			
8	emergency is declared to exist and this act being immediately necessary for			
9	the preservation of the public peace, health, and safety shall become			
10	effective on:			
11	(1) The date of its approval by the Governor;			
12	(2) If the bill is neither approved nor vetoed by the Governor,			
13	the expiration of the period of time during which the Governor may veto the			
14	bill; or			
15	(3) If the bill is vetoed by the Governor and the veto is			
16	overridden, the date the last house overrides the veto.			
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18	/s/ Walters			
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