

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1836

5 By: Representative Brown
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING ORDINANCE
9 PUBLICATION REQUIREMENTS OF CITIES AND COUNTIES; AND
10 FOR OTHER PURPOSES.
11

Subtitle

12
13 TO AMEND THE LAW CONCERNING ORDINANCE
14 PUBLICATION REQUIREMENTS OF CITIES AND
15 COUNTIES.
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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 § 14-14-104 is amended to read as follows:
22 14-14-104. Publication requirements.

23 ~~(a) Unless otherwise specifically provided, when a county government~~
24 ~~is required to publish, publication shall be by a:~~

25 (1) A one-time insertion in a newspaper of general circulation
26 in the county+; or

27 ~~(b) Where no newspaper of general circulation exists in a county,~~
28 ~~publication may be made by~~ (2) Publication on a website owned by or
29 affiliated with the county and by posting in three (3) public places which
30 that have been designated by ordinance.
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32 SECTION 2. Arkansas Code § 14-14-105 is amended to read as follows:
33 14-14-105. Notice by publication.

34 Unless otherwise specifically provided, when notice of a hearing or
35 other official act is required by a county government, ~~the following~~
36 ~~provisions shall apply:~~



1 (1)(A)(i) The notice shall be published two (2) times with at
 2 least six (6) days separating each publication.

3 (ii) The first publication shall be no more than
 4 thirty (30) days ~~prior to~~ before the action, and the last publication shall
 5 be no less than three (3) days ~~prior to~~ before the action.

6 (B) Alternatively, the notice may be published for
 7 fourteen (14) consecutive days on a website owned by or affiliated with the
 8 county and by posting in three (3) public places that have been designated by
 9 ordinance;

10 (2) The published notice shall contain:

11 (A) The date, time, and place at which the hearing or
 12 other action will occur;

13 (B) A brief statement of the action to be taken; and

14 (C) Any other information ~~which~~ that may be required by
 15 the specific provision of law requiring notice.

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 17 SECTION 3. Arkansas Code § 14-14-903(d)(1), concerning codification of
 18 ordinances, is amended to read as follows:

19 (1) At five-year intervals, county ordinances of a general and
 20 permanent nature enacted in each of the several counties shall be compiled
 21 into a uniform code and published on a website owned by or affiliated with
 22 the county.

23
 24 SECTION 4. Arkansas Code § 14-55-206 is amended to read as follows:
 25 14-55-206. Publishing or posting requirements.

26 (a)(1)(A)(i) ~~All~~ Notice of all bylaws or ordinances of a general or
 27 permanent nature and all those imposing any fine, penalty, or forfeiture
 28 shall be published in some newspaper published in the municipality.

29 (ii) Bylaws or ordinances under subdivision
 30 (a)(1)(A)(i) of this section shall be published on a website owned by or
 31 affiliated with the municipality.

32 (B) In municipalities in which no newspaper is published,
 33 written or printed notice posted in five (5) of the most public places
 34 designated by the governing body in an ordinance or minutes of the governing
 35 body ~~shall be deemed~~ is a sufficient publication of notice of any law or
 36 ordinance.

1 (2) It ~~shall be deemed~~ is a sufficient defense to any suit or
2 prosecution of such fine, penalty, or forfeiture to show that no notice was
3 given as provided ~~herein~~ under this section.

4 (b)(1) As to ordinances establishing rules and regulations for zoning,
5 construction of buildings, the installation of plumbing, the installation of
6 electric wiring, or other similar work, ~~where such~~ in which the rules and
7 regulations have been printed as a code in book form, the code or the
8 provisions ~~thereof~~ may be published by the municipality by reference to title
9 of the code without further publication or posting ~~thereof~~.

10 (2) However, ~~no fewer than~~ a minimum of three (3) copies of the
11 code shall be filed for use and examination by the public in the office of
12 the clerk or recorder of the municipality after the adoption ~~thereof~~ if there
13 is no electronic form of the code available for examination by the public.

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