

As Engrossed: 2/28/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Goodwin**

A BILL ACT 413 OF 1991
HOUSE BILL 1297

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 14, CHAPTER 285,
9 SUBCHAPTER 1 BY ADDING A NEW SECTION ALLOWING THE
10 WITHDRAWAL OF A PORTION OF A MUNICIPAL RECREATION
11 IMPROVEMENT DISTRICT IF THE DISTRICT IS COMPOSED OF NON-
12 CONTIGUOUS AREAS; AND FOR OTHER PURPOSES."

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

16 SECTION 1. Arkansas Code Title 14, Chapter 285, Subchapter 1 is amended
17 by adding the following new section:

18 "14-285-104. (a) If a municipal recreation improvement district is
19 composed of two non-contiguous areas, one of which lies outside the boundaries
20 of the municipality, then the separate area which is located outside the
21 boundaries of the municipality may withdraw from the district if no
22 recreational facilities have been installed in the area.

23 (b) The area may withdraw from the district by a petition filed with
24 the municipal clerk. The petition shall be signed by both a majority of the
25 landholders in the area to be removed and the owners of a majority of the land
26 in the area. The area shall be removed from the district and the boundaries
27 of the district revised accordingly, upon the clerk determining the
28 sufficiency of the petition.

29 (c) The landowners in an area that withdraws from a municipal
30 recreation district pursuant to this section shall continue to pay the
31 assessments of the district until all bonds existing at the time the petition
32 is filed are repaid.

33 (d) *The landowners in an area that withdraws pursuant to this section*
34 *shall pay all assessments made prior to the withdrawal from the district."*

36 SECTION 2. All provisions of this act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 3. If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 4. All laws or parts of laws in conflict with this act are
11 hereby repealed.

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/s/Larry Goodwin

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APPROVED: 3-8-91

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