

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Courtway**

A Bill

ACT 828 OF 1995
HOUSE BILL 1742

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 14, CHAPTER 284,
9 SUBCHAPTER 2 TO CLARIFY TAXATION OR ASSESSMENT OF
10 INDIVIDUALS OR PROPERTY ANNEXED INTO A MUNICIPALITY FROM A
11 FIRE PROTECTION DISTRICT; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO CLARIFY ASSESSMENTS UPON
15 PERSONS OR PROPERTY ANNEXED FROM A FIRE
16 PROTECTION DISTRICT INTO A
17 MUNICIPALITY."

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

21 SECTION 1. Arkansas Code Title 14, Chapter 284, Subchapter 2 is amended
22 to add the following new section:

23 "14-284-225. (a) *No property located within the bounds of a*
24 *municipality shall be assessed, taxed or required to pay fees to any fire*
25 *protection district after the effective date of this section unless:*

26 (1) *There is a mutual, formal agreement between the municipality*
27 *and the fire protection district to provide fire protection services to the*
28 *property; or*

29 (2) *Bonded indebtedness for fire protection equipment or*
30 *facilities was incurred by the fire protection district prior to the date of*
31 *annexation of such property, and the indebtedness incurred before annexation*
32 *has not been retired."*

34 SECTION 2. All provisions of this act of a general and permanent
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
36 Code Revision Commission shall incorporate the same in the Code.

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SECTION 3. 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 4. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY. It is found and determined by the General Assembly that the provisions of this act need to be invoked to prevent undue interference with the operations of fire protection districts and the fiscal operations of county and municipal governments of Arkansas. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/Rep. Courtway

APPROVED: 3-29-95

