

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 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S2/27/01

A Bill

Act 800 of 2001
SENATE BILL 522

5 By: Senator Hoofman
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 27-74-203 TO PROVIDE FOR
10 A JUDICIAL HEARING DE NOVO FROM AN ADVERSE DECISION OF
11 THE STATE HIGHWAY COMMISSION REGARDING THE ERECTION OF
12 AN OUTDOOR SIGN; AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO AMEND ARKANSAS CODE 27-74-203
15 TO PROVIDE FOR A JUDICIAL HEARING DE
16 NOVO FROM AN ADVERSE DECISION OF THE
17 STATE HIGHWAY COMMISSION REGARDING THE
18 ERECTION OF AN OUTDOOR SIGN.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas code 27-74-203 is amended to read as follows:
25 27-74-203. Regulation.

26 (a) The erection and maintenance of outdoor advertising signs,
27 displays, and devices in areas six hundred sixty feet (660') in width from the
28 nearest edge of any right-of-way of any interstate, primary, or other state
29 highway designated by the State Highway Commission shall be regulated in order
30 to protect the public investment in these highways, to promote the public
31 safety and welfare in the use of these highways, to encourage the recreational
32 value of public travel, and to preserve the natural beauty along these
33 highways.

34 (b) Therefore, no outdoor sign, display, or device shall be erected in
35 these areas except as hereinafter provided and in accordance with regulations
36 promulgated by the State Highway Commission, hereinafter called the

1 commi ssi on.

2 (c) Any person whose business or property has been injured by a final
3 adverse decision from the commi ssi on shall be entitled to a judicial hearing
4 de novo in the circui t court of any county in which the person resides or does
5 business, or in the Pulaski County Circuit Court, if the interests affected by
6 the decision of the commi ssi on are constitutionally or statutorily preserved,
7 or preserved by private agreement, so that their enforcement is a matter of
8 right.

9 /s/ Hoofman

10
11
12 APPROVED: 3/14/2001
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36