

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 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 861 of 2003
HOUSE BILL 1804

5 By: Representatives Dangeau, Petrus
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For An Act To Be Entitled

9 AN ACT TO PROVIDE THAT A LEVEE IMPROVEMENT
10 DISTRICT SHALL NOT LOSE REAL PROPERTY OR
11 EASEMENTS OF THE DISTRICT TO ADVERSE POSSESSION;
12 AND FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT TO PROVIDE THAT A LEVEE
16 IMPROVEMENT DISTRICT SHALL NOT LOSE REAL
17 PROPERTY OR EASEMENTS OF THE DISTRICT TO
18 ADVERSE POSSESSION.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code Title 22, Chapter 1, Subchapter 2, is amended
24 to add an additional section to read as follows:

25 22-1-206. Property of levee districts.

26 (a) As used in this section, a "levee district" means a:

27 (1) Levee district formed by Act 97 of 1911 and any other levee
28 district formed by an act of the General Assembly;

29 (2) Watershed improvement district formed under the Arkansas
30 Irrigation, Drainage, and Watershed Improvement District Act, beginning at §
31 14-117-101;

32 (3) Levee district or levee and drainage district formed under
33 Title 14, Chapter 120; and

34 (4) Levee improvement district formed under Title 14, Chapter
35 123.

36 (b)(1) No title or right of possession to property of a levee



1 district, or any portion of a district's property, shall be acquired by
2 adverse possession or adverse occupancy.

3 (2) No easement or right of way of a levee district for flowage,
4 storage rights and any other servitude upon, over, and across any lands, or
5 any portion of lands, shall be acquired by adverse possession or adverse
6 occupancy.

7 (c) The real property rights of a levee district shall not be defeated
8 in any cause of action or proceeding by reason of adverse possession or
9 adverse occupancy of district property, or any portion of a district's
10 property, where the parties claiming the adverse possession commence legal
11 action after the effective date of this section.

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14 APPROVED: 3/28/2003
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