

1 State of Arkansas *As Engrossed: S3/18/13 S3/27/13*

2 89th General Assembly

# A Bill

3 Regular Session, 2013

SENATE BILL 531

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5 By: Senator B. Sample

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## For An Act To Be Entitled

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AN ACT TO AMEND THE LAW CONCERNING THE REQUIREMENTS  
9 FOR ANNEXATION; AND FOR OTHER PURPOSES.

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## Subtitle

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TO AMEND THE LAW CONCERNING THE  
14 REQUIREMENTS FOR ANNEXATION.

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

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*SECTION 1. Arkansas Code § 14-40-302(b)(1), concerning municipal  
20 annexation authority and exceptions, is amended to read as follows:*

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(b)(1) Contiguous lands shall not be annexed ~~when~~ if they ~~either~~:

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(A) ~~Have~~ At the time of the adoption of the ordinance,

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have a fair market value, ~~at the time of the adoption of the ordinance,~~ of

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lands used only for agricultural or horticultural purposes and the highest

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and best use of the lands is for agricultural or horticultural purposes; ~~or~~

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(B) Are lands upon which a new community is to be

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constructed with funds guaranteed, in whole or in part, by the federal

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government under Title IV of the Housing and Urban Development Act of 1968 or

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under Title VII of the Housing and Urban Development Act of 1970;

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(C) Are lands that do not include residents, except as

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agreed upon by the mayor and county judge; or

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(D) Are lands that do not encompass the entire width of

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public road right-of-way or public road easements within the lands sought to

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be annexed, except as agreed upon by the mayor and county judge.

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*SECTION 2. Arkansas Code § 14-40-302, concerning municipal annexation*



1 authority and exceptions, is amended to add an additional subsection to read  
2 as follows:

3 (d)(1) Whenever practicable, a city or incorporated town shall annex  
4 lands that are contiguous and in a manner that does not create enclaves.

5 (2) As used in this section, "enclave" means an unincorporated  
6 improved or developed area that is enclosed within and bounded on all sides  
7 by a single city or incorporated town.

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*/s/B. Sample*

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**APPROVED: 04/11/2013**

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