

1 State of Arkansas *As Engrossed: H1/29/19 H2/5/19*

2 92nd General Assembly

A Bill

3 Regular Session, 2019

HOUSE BILL 1163

4

5 By: Representative Capp

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For An Act To Be Entitled

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AN ACT TO AMEND THE LAW CONCERNING MUNICIPAL

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ORDINANCE CODIFICATION BY REFERENCE; AND FOR OTHER

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PURPOSES.

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Subtitle

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TO AMEND THE LAW CONCERNING MUNICIPAL

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ORDINANCE CODIFICATION BY REFERENCE.

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

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20 *SECTION 1. Arkansas Code § 14-55-701 is amended to read as follows:*

21 *14-55-701. Authority to ~~revise and~~ codify.*

22 *(a) ~~Any~~ A municipality ~~is authorized and empowered to revise and~~ may*
23 *codify its ordinances, or any part of them, into one (1) or more volumes,*
24 *either bound or in loose-leaf form, ~~without the publication or posting of any~~*
25 *~~part thereof~~ without setting forth the provisions of the municipal code or*
26 *parts thereof, if three (3) copies of the municipal code, or the pertinent*
27 *parts thereof, and any related documents are filed either electronically or*
28 *by hard copy in the office of the clerk or recorder of the municipality for*
29 *inspection and viewing by the public before the passage of the ordinances.*

30 *(b)(1) The ordinance adopting the ~~revision or~~ codification shall be*
31 *enacted ~~in accordance with~~ under the requirements for ~~the~~ passage of*
32 *ordinances ~~pertaining to~~ of the municipality.*

33 *(2) The ordinance adopting the ~~revision or~~ codification may*
34 *provide for the repeal of certain ordinances and parts of ordinances by the*
35 *deletion or omission of them from the ~~revision or~~ codification.*

36 *(c) In exercising the authority to codify ordinances under this*



1 subchapter, the municipality may:

2 (1) Correct the spelling of words;

3 (2) Change capitalization for the purpose of uniformity;

4 (3) Correct manifest typographical and grammatical errors;

5 (4) Correct manifest errors in references to laws, ordinances,
6 and other documents;

7 (5) Correct manifest errors in internal reference numbers;

8 (6) Substitute the proper ordinance numbering or designation for
9 the terms “this ordinance”, “the preceding ordinance”, or any similar words
10 or phrases;

11 (7) Number, renumber, redesignate, and rearrange organization of
12 material within an ordinance;

13 (8) Change internal reference numbers to agree with renumbered
14 ordinances or material within an ordinance;

15 (9) Substitute the correct calendar date for “the effective date
16 of this ordinance” and other phrases of similar import;

17 (10) Correct inaccurate references to:

18 (A) Funds;

19 (B) Fund accounts;

20 (C) The titles of officers;

21 (D) The names of departments or other agencies of the
22 federal government, the state government, or local governments, and the names
23 of other entities; and

24 (E) The short titles of other laws or ordinances;

25 (11) Make any other name changes necessary to be consistent with
26 the laws or ordinances currently in effect;

27 (12) Alphabetize definitions and make any necessary changes to
28 conform the definitions sections to ordinance style and format;

29 (13) Insert or delete hyphens in words to follow correct
30 grammatical usage;

31 (14) Change numerals or symbols to words or vice versa and add
32 figures or words if they are merely repetitions of written words or vice
33 versa for purposes of uniformity and style;

34 (15) Change the form of nouns, pronouns, and verbs for purposes
35 of style and grammar;

36 (16) Correct punctuation;

(17) Correct word usage;

(18) Change gender-specific language to gender-neutral language;

and

(19) Remove obsolete language.

SECTION 2. Arkansas Code § 14-55-702 is amended to read as follows:

14-55-702. Copies of municipal code filed.

Upon the adoption of any municipal code ~~or revision~~, three (3) copies of ~~it~~ the municipal code shall be filed and maintained in the office of the city clerk or recorder.

SECTION 3. Arkansas Code § 14-55-704(b) is amended to read as follows:

14-55-704. Amendment of municipal code authorized.

(a) ~~Municipal codes or revisions~~ A municipal code may be amended from time to time by ordinances duly enacted and published as required by law and passed in such form as to indicate the intention of the legislative body of the city to make them a part of the municipal code or revision.

(b)(1) When so passed, copies of the ordinances shall be inserted in the copies of the municipal code ~~or revision~~ maintained by the city clerk or recorder, and the ordinances ~~shall be deemed~~ are a part of the municipal code ~~or revision~~ and ~~shall~~ have the same force and effect as if included ~~therein~~ at the time of the original adoption of the municipal code ~~or revision~~.

(2) ~~However, under this section any amendment shall not be deemed to give any amending ordinance retroactive effect~~ Under this section, an amendment does not give an amended ordinance retroactive effect.

/s/Capp

APPROVED: 2/26/19