

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: S3/26/97

## A Bill

ACT 1228 OF 1997  
HOUSE BILL 2009

5 By: Representative Ferguson  
6  
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### For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 12-80-105 CONCERNING  
10 EXEMPTIONS FROM EARTHQUAKE RESISTANT DESIGN LAW; AND FOR  
11 OTHER PURPOSES."

### Subtitle

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13  
14 "AN ACT CONCERNING EXEMPTIONS FROM  
15 EARTHQUAKE RESISTANT DESIGN LAW."  
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code 12-80-105 is amended to read as follows:

20 ~~§~~12-80-105. Exemptions.

21 (a) Certain building types such as single family residential, duplexes,  
22 triplexes, fourplexes, and agricultural structures shall not be included in  
23 the requirements of this chapter.

24 (b)(1) The park and recreational facilities of the State of Arkansas,  
25 any of its agencies or departments, or any city, town, or county government or  
26 any school district shall not be included in the requirements of this chapter.

27 (2) As used in this subsection, park and recreational facilities  
28 shall mean any facilities which are generally open structures and have three  
29 (3) or fewer sides and are used for athletics, recreation, relaxation,  
30 entertainment, cultural development, and other recreational activities,  
31 including, without limitation, park pavilions, amphitheaters, covered stage  
32 areas, camping centers, tennis courts, golf course shelters, athletic fields,  
33 baseball fields and dugouts, and various other similar park and recreational  
34 facilities.

35 (c) ~~No facility shall be exempt from the requirements of this chapter:~~

36 ~~(1) Which has any part, intended for use by the public, with~~

1 ~~standing or seating surfaces more than eight feet (8') above the ground; or~~  
 2 ~~\_\_\_\_\_ (2) Which has any covered area of greater than one thousand five~~  
 3 ~~hundred (1,500) square feet intended for use by the public. Buildings of four~~  
 4 ~~thousand (4,000) square feet or less shall be exempt from the requirements of~~  
 5 ~~this chapter only upon the resolution of the local planning commission, or in~~  
 6 ~~the absence of a local planning commission, upon the resolution of the~~  
 7 ~~governing body of the political subdivision."~~

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

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13 SECTION 3. If any provision of this act or the application thereof to  
 14 any person or circumstance is held invalid, such invalidity shall not affect  
 15 other provisions or applications of the act which can be given effect without  
 16 the invalid provision or application, and to this end the provisions of this  
 17 act are declared to be severable.

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

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/s/Ferguson

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23 APPROVED: BECAME LAW ON WITHOUT GOVERNOR'S SIGNATURE

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