

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.  
Act 300 of the Regular Session

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

SENATE BILL 331

5 By: Senator Bledsoe  
6 By: Representatives Baird, Slinkard  
7

## For An Act To Be Entitled

10 AN ACT TO MODIFY THE LAW CONCERNING THE SERVICE  
11 AREA AND DUES OF VOLUNTEER FIRE DEPARTMENTS; AND  
12 FOR OTHER PURPOSES.  
13

### Subtitle

14 TO MODIFY THE LAW CONCERNING THE SERVICE  
15 AREA AND DUES OF VOLUNTEER FIRE  
16 DEPARTMENTS.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 14-20-108 is amended to read as follows:  
23 14-20-108. Dues for volunteer fire departments.

24 (a)(1)(A) The quorum court of each county, upon request ~~therefor~~ filed  
25 with the quorum court by one (1) or more volunteer fire departments in the  
26 county, may adopt an ordinance authorizing a designated county official to  
27 collect and remit to the volunteer fire department ~~or departments~~ the annual  
28 or quarterly dues charged by the volunteer fire department ~~or departments~~ in  
29 consideration of providing fire protection to unincorporated areas in the  
30 county.

31 (B)(i)(a) When ~~any county~~ a quorum court receives a  
32 request for the levy of volunteer fire department dues and the request has  
33 been signed by the fire chief and the chair and secretary of the board of  
34 directors, if any, of a volunteer fire department and filed with the county  
35 clerk, the quorum court by ordinance shall call for an election on the issue



1 of the levy of the volunteer fire department dues on each residence and on  
 2 each business having an occupiable structure ~~if the request has been signed~~  
 3 ~~by the fire chief and all other officers of a volunteer fire department and~~  
 4 ~~filed with the county clerk.~~

5 (b)(1) The issue may be placed on the ballot  
 6 at a special election by order of the ~~county~~ quorum court in accordance with  
 7 § 7-5-103(b).

8 (2) The special election shall be held  
 9 by August 1.

10 (c)(1) If the levy is approved by a majority  
 11 of those voting on the issue, the dues shall be listed annually on real  
 12 property tax statements and collected by the county collector at the same  
 13 time and in the same manner as real property taxes.

14 (2)(A) The county collector shall report  
 15 delinquencies to the volunteer fire department for collection.

16 (B) A volunteer fire department  
 17 may collect dues that have become delinquent and may enforce collection by  
 18 proceedings in a court of proper jurisdiction.

19 (ii) The cost of the election shall be borne by the  
 20 volunteer fire department ~~or departments~~ that requested the levy.

21 (2) The ordinance enacted by the quorum court shall set forth  
 22 the terms and conditions on which ~~such~~ the dues are to be collected by the  
 23 county and for the remission of the dues to the volunteer fire ~~departments~~  
 24 department.

25 (3) ~~Provided, however, active members of the volunteer fire~~  
 26 ~~departments~~ However, an active member of a volunteer fire department whose  
 27 annual or quarterly dues are collected in this manner may be exempt from the  
 28 annual or quarterly dues charged by the volunteer fire department at the  
 29 discretion of the volunteer fire department in consideration of providing  
 30 services to the volunteer fire department.

31 (b)(1) The quorum court by majority vote may designate the  
 32 geographical area that a volunteer fire department ~~may serve~~ serves.

33 (2) Upon request by a volunteer fire department, the quorum  
 34 court of each county involved may authorize a volunteer fire department to  
 35 serve a geographical area to extend across the county boundary lines.

36 (c) The quorum court may establish its own countywide fire department,

1 either regular or voluntary.

2 (d) This section does not change the authority of intergovernmental  
3 cooperation councils to enter into reciprocal agreements or to distribute  
4 funds under § 14-284-401 et seq. and § 26-57-614.

5 (e)(1) If approved by ordinance by the governing body of an  
6 incorporated town or a city of the second class on the request of and signed  
7 by the fire chief and the chair and secretary of the board of directors, if  
8 any, of a volunteer fire department, an incorporated town or a city of the  
9 second class located in the volunteer fire department district that is not  
10 served by a fire department may be included in the fire protection area with  
11 the dues levied and collected in the same manner as in the unincorporated  
12 areas served by the volunteer fire department district.

13 (2)(A) The governing body of the incorporated town or city of  
14 the second class by ordinance shall call for an election on the ordinance  
15 under subdivision (e)(1) of this section.

16 (B) The issue may be placed on the ballot at a special  
17 election by order of the governing body in accordance with § 7-5-103(b), and  
18 the special election shall be held by August 1.

19 (C) If the issue is approved by a majority of those voting  
20 on the issue, the incorporated town or city of the second class shall be  
21 served by the volunteer fire department district with the dues levied and  
22 collected in the same manner as in the unincorporated areas served by the  
23 volunteer fire department district.

24 (D) The cost of the election shall be borne by the  
25 governing body of the incorporated town or city of the second class that  
26 called for the election.

27 (f) At the discretion of a volunteer fire department, a church  
28 served by a volunteer fire department may be exempt from dues if the church  
29 is exempt from real property taxes.

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**APPROVED: 3/03/2009**