

1 State of Arkansas *As Engrossed: S3/20/13 S4/1/13*

2 89th General Assembly

A Bill

3 Regular Session, 2013

SENATE BILL 530

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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 MODIFY THE LAW CONCERNING DETACHMENT AFTER

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ANNEXATION IN CERTAIN CIRCUMSTANCES; TO PROHIBIT

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ENCLAVES; AND FOR OTHER PURPOSES.

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Subtitle

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TO MODIFY THE LAW CONCERNING DETACHMENT

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AND ANNEXATION IN CERTAIN CIRCUMSTANCES.

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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 Title 14, Chapter 40, Subchapter 5, is

21 amended to add an additional section to read as follows:

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14-40-504. Enclaves prohibited.

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(a) Whenever practicable, a city or incorporated town shall annex

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lands that are contiguous and in a manner that does not create enclaves.

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(b) As used in this section, "enclave" means an unincorporated

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improved or developed area that is enclosed within and bounded on all sides

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by a single city or incorporated town.

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29 SECTION 2. Arkansas Code § 14-40-601 is amended to read as follows:

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14-40-601. Application by petition.

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(a) ~~Whenever~~ When a majority of the real estate owners of any part of

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a county contiguous to and adjoining any city or incorporated town ~~shall~~

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~~desire~~ desires to be annexed to the city or town, they may apply, by attested

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petition in writing, to the county court of the county in which the city or

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town is *situated* ~~and~~, shall name the persons authorized to act on behalf of

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the petitioners, and may include a schedule of services of the annexing



1 municipality that will be extended to the area within three (3) years after
2 the date the annexation becomes final.

3 (b) The “majority of real estate owners” referred to in this section
4 ~~shall mean~~ means a majority of the total number of real estate owners in the
5 area affected, if the majority of the total number of owners ~~shall~~ own more
6 than one-half ($\frac{1}{2}$) of the acreage affected.

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/s/B. Sample

APPROVED: 04/11/2013