

1 State of Arkansas *As Engrossed: S3/18/13 S3/25/13 H4/8/13*

2 89th General Assembly

A Bill

3 Regular Session, 2013

SENATE BILL 861

4

5 By: Senator Irvin

6 *By: Representative Neal*

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For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW TO ALLOW MORE TRANSPARENCY IN
10 ANNEXATION AND DETACHMENT PROCEEDINGS; AND FOR OTHER
11 PURPOSES.

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Subtitle

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THE ANNEXATION AND DETACHMENT
16 TRANSPARENCY ACT.

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

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SECTION 1. Arkansas Code Title 14, Chapter 40, is amended to add an
22 additional subchapter to read as follows:

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14-40-2201. Annexation and provision of scheduled services.

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(a)(1) Beginning March 1, 2014, and each successive year thereafter,

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the mayor or city manager of a city or incorporated town shall file annually

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with the city clerk or recorder, town recorder, and county clerk a written

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notice describing any annexation elections that have become final in the

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previous eight (8) years.

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(2) The written notice shall include:

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(A) The schedule of services to be provided to the

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inhabitants of the annexed portion of the city; and

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(B) A statement as to whether the scheduled services have

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been provided to the inhabitants of the annexed portions of the city.

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(b) If the scheduled services have not been provided to the new

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inhabitants within three (3) years after the date the annexation becomes

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final, the written notice reporting the status of the extension of scheduled



1 services shall include a statement of the rights of inhabitants to seek
2 detachment.

3 (c) A city or incorporated town shall not proceed with annexation
4 elections if there are pending scheduled services that have not been provided
5 in three (3) years as prescribed by law.

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7 14-40-2202. Inhabitants of annexed area.

8 (a) In all annexations under § 14-40-303 and in accordance with § 14-
9 40-606, after the territory declared annexed is considered part of a city or
10 incorporated town, the inhabitants residing in the annexed portion shall:

11 (1) Have all the rights and privileges of the inhabitants of the
12 annexing city or incorporated town; and

13 (2)(A) Be extended the scheduled services within three (3)
14 years after the date the annexation becomes final.

15 (B) The mayor of the municipality shall file a report with
16 the city clerk or recorder, town recorder, and county clerk of the extension
17 of scheduled services.

18 (b) If the scheduled services have not been extended to the area and
19 property boundaries of the new inhabitants within three (3) years after the
20 date annexation becomes final, the written notice reporting the status of the
21 extension of scheduled services shall:

22 (1) Include a written plan for completing the extension of
23 services and estimated date of completion; and

24 (2) Include a statement of the rights of inhabitants to seek
25 detachment.

26 (c) A city or incorporated town shall not proceed with any additional
27 annexation elections if there are pending scheduled services that have not
28 been extended as required under this subchapter.

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30 /s/Irvin

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33 **APPROVED: 04/23/2013**