

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/10/15
A Bill

HOUSE BILL 1710

5 By: Representative Neal
6 By: Senator Hester
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE LAW CONCERNING A MUNICIPAL
10 BOUNDARY LINE AND ANNEXATION; AND FOR OTHER PURPOSES.
11

Subtitle

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14 *TO AMEND THE LAW CONCERNING A MUNICIPAL*
15 *BOUNDARY LINE AND ANNEXATION; AND TO*
16 *DECLARE AN EMERGENCY.*
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 14, Chapter 40, Subchapter 2, is
22 amended to add an additional section to read as follows:

23 14-40-207. Building situated or to be situated upon municipal boundary
24 line – Option to choose municipal location.

25 (a)(1) A property owner who has a building that is currently situated
26 upon the boundary line between two (2) municipalities may choose either one
27 (1) of the municipalities as the legal location of the building.

28 (2) When the expansion of a building will result in the
29 expansion's being situated upon the boundary line between two (2)
30 municipalities, the property owner of the building may choose either one (1)
31 of the municipalities as the legal location of the building if the property
32 owner has first obtained the necessary authorizations or permits for
33 expansion of the building from the municipality upon which the building is
34 located before the expansion or the municipality upon which the building
35 expansion will be located.

36 (b)(1) The property owner shall provide written notice to the



1 governing body of both municipalities as to which municipality is chosen
2 under subsection (a) of this section.

3 (2) The written notice to the chosen municipality shall include
4 a request for annexation into the chosen municipality.

5 (c) The property upon which the building is situated or will be
6 situated after expansion and up to two (2) acres of the property owner's
7 property surrounding the building and expansion shall be annexed into the
8 municipality chosen by the owner under subsection (a) of this section.

9 (d) Within sixty (60) days of receipt of the written notice under
10 subsection (b) of this section, the municipality chosen by the owner under
11 subsection (a) of this section shall coordinate with the Arkansas Geographic
12 Information Systems Office for preparation of legal descriptions and digital
13 mapping for the relevant area.

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15 *SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General*
16 *Assembly of the State of Arkansas that there are some property owners in*
17 *Arkansas with property that crosses the boundary of two (2) municipalities;*
18 *that the physical location of a building on the property is sometimes on the*
19 *boundary line, causing sales tax and other issues for the property owners;*
20 *and that this act is immediately necessary to ensure that there is clarity to*
21 *the property owner and to the municipalities as to which municipality is the*
22 *legal location of the property. Therefore, an emergency is declared to exist,*
23 *and this act being immediately necessary for the preservation of the public*
24 *peace, health, and safety shall become effective on:*

25 (1) The date of its approval by the Governor;

26 (2) If the bill is neither approved nor vetoed by the Governor,
27 the expiration of the period of time during which the Governor may veto the
28 bill; or

29 (3) If the bill is vetoed by the Governor and the veto is
30 overridden, the date the last house overrides the veto.

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32 /s/Neal

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35 **APPROVED: 03/29/2015**