Stricken language would be deleted from and underlined language would be added to present law. Act 1030 of the Regular Session

1 2	Λ D ill	
3		HOUSE BILL 1821
4		
5	5 By: Representative Ballinger	
6	6 By: Senator J. Cooper	
7	7	
8	For An Act To Be Entitled	
9	9 AN ACT CONCERNING A PARTY IN AN ACTION FOR	
10	O DECLARATORY RELIEF; TO DECLARE AN EMERGENCY; AND I	?OR
11	OTHER PURPOSES.	
12	2	
13	3	
14	4 Subtitle	
15	5 CONCERNING A PARTY IN AN ACTION FOR	
16	DECLARATORY RELIEF; AND TO DECLARE AN	
17	7 EMERGENCY.	
18	8	
19	9	
20	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
21		. 4 £.11
22	SECTION 1. Arkansas Code § 16-111-111 is amended to read as follows:	
23		ll be made
2425		
26	parties who have or claim any interest which would be affected by the declaration, and no declaration shall prejudice the rights of persons not	
27	parties to the proceeding. In any proceeding which involves the validity of a	
28	municipal ordinance or franchise, such municipality shall be made a party,	
29	and shall be entitled to be heard, and if the statute, ordinance or franchise	
30	is alleged to be unconstitutional, the Attorney General of the State shall	
31	also be served with a copy of the proceeding and be entitled to be heard.	
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33		
34		_
35		-
36	6 <u>the government entity or school district.</u>	

1	(2) A governmental entity or school district provided with	
2	notice under subdivision (b)(l) of this section has the right to intervene in	
3	the action but is not required to be named as a party to the action nor is	
4	the government entity or school district considered an indispensable or	
5	necessary party to the action.	
6		
7	SECTION 2. EMERGENCY CLAUSE. It is found and determined by the	
8	General Assembly of the State of Arkansas that taxpayer appeals of property	
9	taxes or other tax issues are unduly complicated by current state law and	
10	that school districts and other government bodies with no control over	
11	taxation administration are incurring unnecessary and excessive legal	
12	expenses due to being required to be named as defendants in lawsuits rather	
13	than having the right to notice and participate in lawsuits. Therefore, an	
14	emergency is declared to exist, and this act being immediately necessary for	
15	the preservation of the public peace, health, and safety shall become	
16	effective on:	
17	(1) The date of its approval by the Governor;	
18	(2) If the bill is neither approved nor vetoed by the Governor,	
19	the expiration of the period of time during which the Governor may veto the	
20	bill; or	
21	(3) If the bill is vetoed by the Governor and the veto is	
22	overridden, the date the last house overrides the veto.	
23		
24	/s/Ballinger	
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27	APPROVED: 04/06/2017	
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