

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H1/27/21

A Bill

HOUSE BILL 1113

5 By: Representative Dotson
6 By: Senator J. English
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE COMMISSIONER OF STATE LANDS URBAN
10 HOMESTEAD ACT TO PERMIT THE DEVELOPMENT OF SCHOOLS ON
11 LAND DONATED BY THE COMMISSIONER OF STATE LANDS WHEN
12 THE LAND IS NOT BEING UTILIZED AS A HOMESTEAD; TO
13 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

17 TO AMEND THE COMMISSIONER OF STATE LANDS
18 URBAN HOMESTEAD ACT TO PERMIT THE
19 DEVELOPMENT OF SCHOOLS ON LAND DONATED BY
20 THE COMMISSIONER OF STATE LANDS WHEN THE
21 LAND IS NOT BEING UTILIZED AS A
22 HOMESTEAD; AND TO DECLARE AN EMERGENCY.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. DO NOT CODIFY. Legislative findings and intent.
28 The General Assembly finds that:

29 (1) The Commissioner of State Lands Urban Homestead Act is
30 intended to prevent waste of available valuable real property for the
31 development of affordable housing for low-income families;

32 (2) Areas in need of affordable housing benefit from expanded
33 educational opportunities afforded by the development of schools; and

34 (3) Parcels of land donated by the Commissioner of State Lands
35 that are not being used as homesteads by eligible persons may be better
36 utilized to provide schools in areas with a higher-than-average poverty



1 level.

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3 SECTION 2. Arkansas Code Title 20, Chapter 80, Subchapter 4, is
4 amended to add an additional section to read as follows:

5 20-80-412. Public school development.

6 (a) A donated parcel of land held by a community organization under
7 this subchapter may be used for educational purposes by a public school
8 district or open-enrollment public charter school if:

9 (1) The donated parcel of land is in a census tract with a
10 poverty rate higher than the average poverty rate in the State of Arkansas;

11 (2) The community organization received the donated parcel of
12 land from the Commissioner of State Lands at least three (3) years earlier;

13 (3) An eligible person does not currently use the donated parcel
14 of land for a homestead; and

15 (4) The proposed activities or uses are not prohibited by any
16 use restrictions that were placed on the property for the purpose of
17 protecting:

18 (A) Human health; or

19 (B) The integrity of any remedial action measures
20 implemented on the property to protect human health or the environment.

21 (b)(1) A community organization that receives a donated parcel of land
22 may transfer the donated parcel of land to a recipient that shall use the
23 donated parcel of land for development by a public school district or an
24 open-enrollment public charter school.

25 (c) Once a public school district or an open-enrollment public charter
26 school begins to use a donated parcel of land under this section for
27 educational purposes, the donated parcel of land shall be released from
28 present and future obligations, restrictions, and reversions imposed on the
29 use and development of the donated parcel of land, except as provided by
30 subdivision (a)(4) of this section.

31 (d) Taxes from previous tax years shall not apply to a donated parcel
32 of land utilized by a public school district or an open-enrollment public
33 charter school under this section.

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35 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
36 General Assembly of the State of Arkansas that this act is necessary to

1 promote and improve educational opportunities for low-income families as a
2 matter of public policy of the State of Arkansas. Therefore, an emergency is
3 declared to exist, and this act being immediately necessary for the
4 preservation of the public peace, health, and safety shall become effective
5 on:

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

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

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

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14 */s/Dotson*

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17 **APPROVED: 3/15/21**
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