

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

As Engrossed: H3/10/17

# A Bill

HOUSE BILL 2238

5 By: Representative Love  
6 By: Senator J. Hutchinson  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW TO CREATE TRANSPARENCY AND  
10 ACCOUNTABILITY IN MUNICIPAL IMPROVEMENT DISTRICTS;  
11 AND FOR OTHER PURPOSES.  
12  
13

### Subtitle

15 TO AMEND THE LAW TO CREATE TRANSPARENCY  
16 AND ACCOUNTABILITY IN MUNICIPAL  
17 IMPROVEMENT DISTRICTS.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 *SECTION 1. Arkansas Code § 14-88-301(a)(1)(A)(ii)(a)(2), concerning*  
23 *the appointment of commissioners, is amended to read as follows:*

24 *(2) Petition to the city or town council*  
25 *signed by ~~fifteen percent (15%) of the property owners of record within~~*  
26 *representing ten percent (10%) or more of the assessed properties in the*  
27 *improvement district.*  
28

29 *SECTION 2. Arkansas Code § 14-88-303 is amended to read as follows:*  
30 *14-88-303. Vacancies generally.*

31 *(a) ~~All vacancies~~ A vacancy that ~~may occur~~ occurs after a municipal*  
32 *board ~~shall have been~~ is organized shall be filled by the city or town*  
33 *council.*

34 *(b) ~~If all places~~ a position on the board ~~shall become~~ is vacant ~~or~~*  
35 *~~those~~ because of a resignation, death, removal under § 14-88-305, refusal to*  
36 *act, or negligence ~~appointed shall refuse or neglect to act,~~ a new members*



1 ~~member shall be appointed by the city or town council, as in the first~~  
 2 ~~instance, except that after July 1, 1999, in cities of the first class with a~~  
 3 ~~population of between sixty one thousand five hundred (61,500) and sixty two~~  
 4 ~~thousand (62,000) persons according to the 1990 Federal Decennial Census, new~~  
 5 ~~members shall be appointed only for the remainder of the vacant term and no~~  
 6 ~~person who is removed as a commissioner shall qualify if a petition under §~~  
 7 ~~14-88-304(b)(1) is filed.~~

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 9 SECTION 3. Arkansas Code § 14-88-304(b)(1), concerning petitions of  
 10 property owners to fill vacancies, is amended to read as follows:

11 ~~(b)(1) Upon the filing of a petition with the council signed by ten~~  
 12 ~~percent (10%) or more of property owners in the improvement district affected~~  
 13 ~~reciting that any commissioner is no longer a property owner in the~~  
 14 ~~improvement district and accompanied by a corroborative certificate of an~~  
 15 ~~abstractor, the person shall automatically cease to be a commissioner A~~  
 16 ~~person shall cease to be a commissioner on the board of commissioners upon~~  
 17 ~~the filing of a petition with the city or town council that:~~

18 ~~(A) Is signed by property owners representing ten percent~~  
 19 ~~(10%) or more of the assessed properties in the improvement district~~  
 20 ~~affected;~~

21 ~~(B) Recites that the commissioner is no longer a property~~  
 22 ~~owner in the improvement district;~~

23 ~~(C) Is accompanied by a corroborative certificate of an~~  
 24 ~~abstractor;~~

25 ~~(D) A vacancy exists under § 14-88-303; and~~

26 ~~(E) Designates a person to fill the vacancy who is a~~  
 27 ~~property owner of assessed property in the improvement district.~~

28  
 29 SECTION 4. Arkansas Code § 14-89-1501(a), concerning quarterly  
 30 financial reports, is amended to read as follows:

31 ~~(a)(1) All improvement districts in any city or incorporated town in~~  
 32 ~~this state established for the purpose of making improvements for municipal~~  
 33 ~~purposes shall meet at least four (4) times per year or quarterly.~~

34 ~~(2) Notice of all meetings each meeting, including quarterly~~  
 35 ~~meetings without limitation each quarterly meeting under this section, shall~~  
 36 ~~be given by the improvement district to all record owners of property in the~~

1 *district ~~at least~~ no more than thirty (30) days before the meeting date and*  
2 *no less than ten (10) days ~~prior to~~ before the meeting date.*

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/s/Love