

**ARKANSAS SENATE**  
83rd General Assembly - Regular Session, 2001  
**Amendment Form**

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**Subtitle of Senate Bill No. 28**

"TO INCREASE THE TIME FOR CITIES TO FILE ANSWERS FOR REQUESTED  
MUNICIPAL SERVICES AND TO PROVIDE FOR THE COUNTY JUDGE TO HOLD  
HEARINGS AND DECIDE ISSUES OF COMPLIANCE OR NONCOMPLIANCE."

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**Amendment No. 2 to Senate Bill No. 28.**

Amend Senate Bill No. 28 as engrossed, S2/13/01:

Page 1, line 15, delete "COUNTY" and substitute "CIRCUIT"

AND

Page 1, line 23, delete "COUNTY" and substitute "CIRCUIT"

AND

Page 4, delete lines 3 through 36 and Page 5, delete lines 1 through 8 and substitute the following:

"14-40-2004. Hearing in circuit court; appeal.

(a)(1) The circuit courts of the state shall have exclusive jurisdiction to hear all matters related to this subchapter.

(2) The circuit court of the county in which the municipalities are located, or in the event that the municipalities are located in different counties or judicial districts, the circuit court of the county or judicial district which has within the county's or district's boundaries the smallest of the two (2) municipalities in population according to the latest federal decennial census, shall have exclusive jurisdiction to hear all matters related to this subchapter.

(b) Upon request of either affected municipality, the landowner or group of landowners, or their representatives, the circuit judge shall hold a hearing or series of hearings related to the provisions of this subchapter. The circuit judge shall make findings as are necessary to determine whether there has been substantial compliance or non-compliance with the requirements of this subchapter.

(c) At anytime, but in no event later than twenty (20) days, after the adoption or rejection of the ordinance bringing the subject property into the annexing jurisdiction, the affected municipalities, landowners, or their representatives may request a hearing before the circuit court on any matter

related to this subchapter.

(d) In the event an action is brought in circuit court by any party, the time period for the requested services to be provided, accepted, and in place as provided in subdivision (b)(3)(B)(iii) of § 14-40-2002 shall be tolled until entry of a ruling by the circuit judge and the conclusion of any appeals therefrom."

AND

Page 5, line 13, delete "county" and substitute "circuit"

AND

Page 5, line 14, delete "county" and substitute "circuit"

AND

Page 5, line 16, delete "county" and substitute "circuit"

**The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_**

**By: Senator DeLay**

**EN/VJF**

**VJF815**

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**Secretary**