

**Hall of the House of Representatives**  
88th General Assembly - Regular Session, 2011  
**Amendment Form**

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**Subtitle of House Bill No. 2045**

THE SUBURBAN IMPROVEMENT DISTRICT BOARD ACT OF 2011.

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**Amendment No. 1 to House Bill No. 2045**

Amend House Bill No. 2045 as originally introduced:

Delete the title in its entirety and substitute the following:  
"AN ACT CONCERNING THE AFFAIRS OF CERTAIN IMPROVEMENT DISTRICTS; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute the following:  
"CONCERNING THE AFFAIRS OF CERTAIN IMPROVEMENT DISTRICTS"

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 14-89-1402 is amended to read as follows:  
14-89-1402. Filing required.

(a)(1)(A) All improvement districts in any city or incorporated town in this state established for the purpose of making improvements for municipal purposes shall file an annual financial report with the city clerk or recorder of the city or town on or before March 1 of each year, covering the financial affairs of the districts for the preceding year.

~~(2)(B)~~ The annual financial report may be included with the report required by § 14-86-2102.

(2) All improvement districts in any city or incorporated town in this state established for the purpose of providing electric utility services for municipal purposes shall file an annual financial report with the city clerk or recorder of the city or town on or before June 1 of each year, covering the financial affairs of the districts for the preceding year.

(b) The annual financial report shall be certified and filed as provided in this section by the commissioners of each district.

SECTION 2. Arkansas Code § 14-92-202 is amended to read as follows:  
14-92-202. Applicability of 1981 amendments.

~~(a) The provisions of Acts 1981, No. 510, shall not apply to districts in existence on March 16, 1981, and these districts shall continue to be governed by the law in effect immediately prior to that date.~~



~~(b)(1)~~ Upon the petition of thirty-five percent (35%) of the ~~realty~~ property owners of a district ~~in existence on March 16, 1981~~, the district shall be subject to the provisions of § 14-92-209 concerning the election of commissioners to fill vacancies on the commission and concerning the recall of commissioners.

~~(2)(b)~~ The petition may also provide for the board of commissioners to be enlarged from three (3) members to five (5) members and may provide for the imposition of a specified term of years on the board positions. If the petition requests a board of commissioners composed of five (5) members, then two (2) additional commissioners shall be elected in the same manner as provided for filling vacancies under § 14-92-209(b).

~~(3)(c)~~ Commissioners serving at the time the petition is filed shall continue to serve.

~~(4)(d)~~ The petition shall be filed with the circuit court of the judicial district in which most of the district is located.

SECTION 3. Arkansas Code § 14-92-209(c), concerning removal of commissioners and vacancies, is amended to read as follows:

~~(c)(1) The provisions of subsection (a) of this~~ This section shall apply to a district in existence on March 16, 1981.

~~(2)(A) A vacancy created by the recall of a commissioner shall be filled in the same manner as provided in subsection (a) of this section.~~

~~(B) Any other vacancy on the board of commissioners of a district in existence on March 16, 1981, shall continue to be filled in the same manner as provided by law prior to March 16, 1981."~~

The Amendment was read \_\_\_\_\_  
By: Representative Garner  
KLL/DRM - 03/21/11 01:59  
KLL262

\_\_\_\_\_  
Chief Clerk