

ARKANSAS SENATE
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of House Bill No. 2157

TO PERMIT THE HIGHWAY DEPARTMENT TO TRANSFER LAND IN FEE SIMPLE WHEN RIGHT OF
WAY IS TRANSFERRED TO A COUNTY OR MUNICIPALITY.

Amendment No. 1 to House Bill No. 2157

Amend House Bill No. 2157 as originally introduced:

Page 2, delete line 36 and substitute the following:

~~"(d)(1) If the option is not exercised within sixty (60) days after due notice, the State Highway Commission may proceed to dispose of the property at public sale. When real property originally acquired by the State Highway Commission has been improved by the State Highway Commission with offices, shops, storage yards, or other necessary or auxiliary facilities and the real property is later declared surplus, the real property may be reacquired at the market value of the real property and all improvements at the time the real property and improvements are declared surplus.~~

(2) The market value of the real property and improvements shall be determined by three (3) appraisers certified or licensed pursuant to 17-14-101 et seq.

(e) When any real or personal property acquired for state highway purposes is either sold or returned to the owner from whom it was acquired and the price paid ~~therefor~~ is refunded, any county ~~which~~ that participated in the cost of the acquisition of the property shall share in the amount obtained from the sale, or the amount refunded, in the proportion in which it shared in the cost of acquisition.

(f)(1) The transfer of surplus rail and other railroad track material purchased in part with federal transportation enhancement funds and granted to the State Parks, Recreation, and Travel Commission or the Department of Parks and Tourism, or both, by the State Highway Commission shall not be subject to the procedures set forth in subsections (a)-(e) of this section.

(2) Surplus rail and other track material described under this subsection may be transferred by gift or contract to a regional intermodal facilities authority, a metropolitan port authority, or a planning and development district.

(3) The purposes of this section shall be satisfied upon:

(A) The adoption of a resolution by the State Highway Commission that the transfer will promote the continuation of rail service, economic development, or industrial growth; and



(B) A transfer document executed by the State Parks, Recreation, and Travel Commission or the Department of Parks and Tourism, or both."

AND

Page 3, delete lines 1 through 25

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator D. Wyatt

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Secretary