

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1903

By: Representative Mahony

"AN ACT TO AMEND ACT 163 OF 1975 TO GRANT TO COUNTIES ALL POWER AND AUTHORITY HERETOFORE GRANTED TO HOUSING AUTHORITIES AND URBAN RENEWAL AGENCIES IN THE FIELDS OF HOUSING, PUBLIC HOUSING, REDEVELOPMENT, URBAN RENEWAL AND COMMUNITY DEVELOPMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. That Section 1 of Act 163 of 1975 is hereby amended to read as follows:

"Section 1. Municipalities and counties, acting through their governing bodies, are hereby granted all the powers and authority granted to Housing Authorities and to Urban Renewal Agencies by Act 298 of 1937, as amended (Ark. Stats. 19-3001 -- 19-3005; 19-3009 -- 19-3023; 19-3025 -- 19-3029; 19-3031 -- 19-3034); by Act 212 of 1945, as amended (Ark. Stats. 19-3056 -- 19-3063.10); by Act 40 of 1961, as amended (Ark. Stats. 19-3063.7 -- 19-3063.11); and by Act 542 of 1971, as amended (Ark. Stats. 19-3075 -- 19-3076)."

SECTION 2. That Section 2 of Act 163 of 1975 is hereby amended to read as follows:

"Section 2. It is the intention of this Act to permit municipal and county government in the State of Arkansas to participate fully in P.L. 93-383, the Community Development Act of 1974, (specifically, but not limited to Community Development activities eligible for assistance in Section 105 of P.L. 93-383) and to have their governing bodies exercise any and all powers conferred on Housing Authorities and Urban Renewal Agencies, including but not limited to, eminent domain; redevelopment activities; housing; public housing; urban renewal; and community development in its broadest sense."

SECTION 3. That Section 3 of Act 163 of 1975 is hereby amended to read as follows:

"Section 3. Powers granted to municipalities and counties herein are supplemental and in addition to all other powers of municipalities and counties. Nothing in this Act shall be construed as changing, limiting, or otherwise affecting the powers of any existing Housing Authority, Urban Renewal Agency, or their Commissions."

SECTION 4. It is hereby found and determined by the General Assembly that because of the case *Ricarte v. State*, CR 86-31, a question has arisen over the validity of Act 1180 of the Extended Session of 1976; that this Act is a reenactment of the former law; and that the immediate passage of this Act is necessary to clarify the state of the law on this issue. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

