

State of Arkansas  
76th General Assembly  
Regular Session, 1987  
By: Senator Malone

SENATE BILL 434

"AN ACT TO AUTHORIZE CITIES TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE PURPOSE OF ACQUIRING CABLE TELEVISION SYSTEMS IN ORDER TO CONVERT THE SAME TO PUBLICLY OWNED AND OPERATED SYSTEMS; AND FOR OTHER PURPOSES."

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

SECTION 1. All first class cities, second class cities and incorporated towns may use their power of eminent domain in the manner prescribed by Act 269 of 1957 as amended (Ark. Stat. 35-908 et seq.), to condemn private property including cable television systems for the purpose of establishing municipal cable television systems to be owned and operated by the municipalities.

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. EMERGENCY. It is hereby found and determined by the General Assembly that the privately owned cable television systems in this State have, as a practical matter, a monopoly upon cable television service within municipalities; that as a result, they are without competitive influences; that in order to prevent the cable television service from becoming a totally monopolistic enterprise, it is necessary to authorized municipalities to provide cable television service and to grant municipalities the power of eminent domain to further that purpose; and that this Act provides such relief and should go into effect immediately in order to grant relief to the citizens of this State as soon as possible. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

