

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1687

By: Representative Collier

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 18-15-1401 TO ALLOW ALL MUNICIPALITIES, CEMETERIES, BURIAL ASSOCIATIONS AND PERSONS OWNING PUBLIC CEMETERIES TO EXERCISE THE POWER OF EMINENT DOMAIN TO ACQUIRE PROPERTY FOR NATIONAL CEMETERIES; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 18-15-1401 is hereby amended to read as follows:

"18-15-1401. Right of eminent domain to take land for burial purposes. All cities of the first and second class and incorporated towns, cemetery or burial associations, and persons owning land used for public burial purposes in the State of Arkansas are given and granted the right of eminent domain to condemn, take, and use land for public burial purposes. Power of eminent domain granted by this Act may also be used to acquire land for the burial of veterans of the United States armed forces and their dependents, and such land may be transferred to the Veterans Administration, any other agency of the federal government or to any other entity for use as a cemetery for veterans of the United States armed forces and their dependents. All entities granted the power of eminent domain under this Act may accept donations from individuals or other legal entities for the purpose of compensating landowners for property acquired by eminent domain. The right of eminent domain granted by this section shall be exercised as provided in this subchapter."

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.