

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Carter**

A Bill

HOUSE BILL 2055

For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE TITLE 14, CHAPTER 92,
10 SUBCHAPTER 2 TO ALLOW CERTAIN SUBURBAN IMPROVEMENT
11 DISTRICTS TO SELECT A NEW FIVE (5) MEMBER BOARD OF
12 COMMISSIONERS; AND FOR OTHER PURPOSES."

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

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16 SECTION 1. Arkansas Code Title 14, Chapter 92, Subchapter 2 is amended
17 to add a new section to read as follows:

18 "14-92-239. (a) Any suburban improvement district exempt from the
19 provisions of Act 510 of 1981 pursuant to § 14-92-202 may alter the number and
20 method of selection of members of the board of commissioners of the district
21 pursuant to this section. Upon the petition of a majority of property owners
22 in the district, a new board of commissioner composed of five (5) members
23 shall be elected at a public meeting. The petition shall be filed with the
24 county court.

25 (b) Within thirty (30) days after the petition is filed the county
26 court shall hold a meeting to accept nominations for the new commissioners.
27 The commissioners shall be nominated by a property owner in attendance, in
28 person or by proxy, at the public hearing. The commissioners shall be elected
29 from among those so nominated, at a *subsequent public meeting held by the*
30 *court in the same manner as provided by §14-92-204.*

31 (c) The petition may establish the terms of office of the board members
32 and may provide for staggered terms of office.

33 (d) The commissioners serving on the board at the time the petition is
34 filed shall serve until the new board is elected.

35 (e) *Whenever notice is required under this section, the notice shall be*

1 *given by first class mail."*

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

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7 SECTION 3. If any provision of this Act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the Act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 Act are declared to be severable.

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13 SECTION 4. All laws or parts of laws in conflict with this act are
14 hereby repealed.

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/s/ Arthur Carter

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