

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Mahony**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 6, CHAPTER 13, SUBCHAPTER 12 OF THE  
9 ARKANSAS CODE ANNOTATED BY ADDING A NEW SECTION TO PROVIDE  
10 THAT SMALL TRACTS OF PROPERTY CONTIGUOUS TO A SCHOOL  
11 DISTRICT AND LOCATED WITHIN ANOTHER DISTRICT MAY BE  
12 ANNEXED TO THE CONTIGUOUS DISTRICT UNDER CERTAIN  
13 CONDITIONS; AND FOR OTHER PURPOSES."

## Subtitle

16 "TO PROVIDE FOR THE ANNEXATION OF SMALL TRACTS OF PROPERTY  
17 CONTIGUOUS TO ONE SCHOOL DISTRICT AND LOCATED WITHIN  
18 ANOTHER DISTRICT."

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

22 SECTION 1. Title 6, Chapter 13, Subchapter 12 of the Arkansas Code  
23 Annotated is amended by adding a new section to read as follows:

24 "6-13-1208.

25 (a) An owner of a small tract of real property may petition the  
26 controlling county board of education to release the tract from the school  
27 district in which the tract is currently located, for the purpose of  
28 annexation to a contiguous school district, and the board shall approve the  
29 petition if the following conditions are met:

30 (1) The area of the tract is not greater than five thousandths of  
31 one percent (.005%) of the total area of the school district in which the  
32 tract is currently located; and

33 (2) The contiguous school district has a greater percentage of  
34 minority students than the district in which the tract is currently located;  
35 and

1           (3) The petition includes a map of the tract that incorporates a  
2 metes and bounds or lot and block description of the tract.

3           (b) No real property owner may petition a county board more than once  
4 under this section during a calendar year, and no county board may approve  
5 more than ten (10) petitions for annexation under this section during a  
6 calendar year.

7           (c) (1) A county board, within ten (10) days following receipt of a  
8 petition, shall cause notice of the petition to be published one (1) time a  
9 week for two (2) weeks in a newspaper having a general circulation in the  
10 county or counties in which the school districts are located. The notice  
11 shall give the date for a hearing before the county board on the petition,  
12 which shall be held within forty-five (45) days following receipt of the  
13 petition.

14                       (2) At the hearing, upon proof of the requirements stated in  
15 subsection (a), the county board shall order the release and annexation of the  
16 tract, changing the school district boundary lines of the districts  
17 concerned."

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

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23           SECTION 3. If any provision of this act or the application thereof to  
24 any person or circumstance is held invalid, such invalidity shall not affect  
25 other provisions or applications of the act which can be given effect without  
26 the invalid provision or application, and to this end the provisions of this  
27 act are declared to be severable.

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29           SECTION 4. All laws and parts of laws in conflict with this act are  
30 hereby repealed.

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