

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1315

4 By: Representatives Molinaro and Thomas

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 14-40-303(b) TO RESTRICT A
9 CITY FROM ATTEMPTING THE ANNEXATION OF AN AREA WITHIN TWO
10 (2) YEARS AFTER A PREVIOUSLY UNSUCCESSFUL ANNEXATION; AND
11 FOR OTHER PURPOSES."

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Subtitle

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

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21 SECTION 1. Arkansas Code § 14-40-303(b) is amended to read as follows:

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23 "(b)(1)(A) The annexation ordinance shall not become effective until
24 the question of annexation is submitted to the qualified electors of the
25 annexing municipality and of the area to be annexed at the next general
26 election or at a special election. The special election shall be conducted
27 no earlier than sixty (60) days after the date of enactment of the ordinance.

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29 (B)(i) If a majority of the qualified electors voting in
30 the election shall vote for the annexation, the county clerk shall, no later
31 than seven (7) days following the election, certify the election results,
32 record the same, along with the description and a map of the annexed area, in
33 the county records, and file a certified copy thereof with the Secretary of
34 State.

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(ii) The annexation shall be effective, and the
34 lands annexed shall be included within the corporate limits of the annexing
35 municipality thirty (30) days following the date of recording and filing of

1 the description and map, as provided in this section, or, in the event an
2 action is filed with the circuit court as provided in § 14-40-304 on the date
3 the judgment of the court becomes final.

4 (2) If a majority of the qualified electors voting on the issue
5 at the election vote against the annexation, the annexation ordinance shall
6 be null and void. None of the lands of the area subject to the annexation
7 election which fails to be approved by a majority of the electors shall be
8 eligible to be annexed to a municipality until at least two (2) years have
9 elapsed since the date of the last unsuccessful annexation election."

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

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15 SECTION 3. If any provisions of this act or the application thereof to
16 any person or circumstance is held invalid, the invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provisions or application, and to this end the provisions of this
19 act are declared to be severable.

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

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