

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H2/12/99

A Bill

SENATE BILL 196

5 By: Senators B. Walker, Argue, Riggs
6 *By: Representatives Ferrell, Sheppard, Booker, J. Lewellen, Harris, T. Thomas, Wilkins, White,*
7 *Napper, W. Walker, Jones, Rodgers, Magnus, Eason, Lendall, L. Thomas*
8
9

For An Act To Be Entitled

11 "AN ACT TO ALLOW CITIES TO CREATE MUNICIPAL MANAGEMENT
12 DISTRICTS FOR THE PURPOSE OF ENHANCING THE ECONOMIC
13 HEALTH AND VITALITY OF THE AREAS; AND FOR OTHER
14 PURPOSES. "

Subtitle

17 "TO ALLOW CITIES TO CREATE MUNICIPAL
18 MANAGEMENT DISTRICTS FOR THE PURPOSE OF
19 ENHANCING THE ECONOMIC HEALTH AND
20 VITALITY OF THE AREAS. "

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22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24
25 SECTION 1. Cities may enact by ordinance a process to create a
26 Municipal Management District to manage, develop, construct and maintain
27 public works and enhancement projects in areas of municipalities.
28

29 SECTION 2. Before a district can be created, a petition must be
30 submitted to the governing body of the municipality that includes:

31 (1) a resolution to the governing body in support of the creation of
32 the district and signed by at least ninety percent (90%) of the property
33 owners within the district representing at least ninety percent (90%) of the
34 appraised property value within the district and at least ninety percent (90%)
35 of the privately held land area within the district;

36 (2) the boundaries of the proposed district;

- 1 (3) the specific purposes for which the district will be created;
- 2 (4) the general nature of the work, projects or services proposed to be
- 3 provided;
- 4 (5) the method of establishing assessments for the district;
- 5 (6) a project cost estimate which shall not exceed two million dollars
- 6 (\$2,000,000); and
- 7 (7) a budget for operating and paying for improvements.

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9 SECTION 3. The Municipal Management District will be limited to a

10 maximum of one (1) square mile.

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12 SECTION 4. The mayor will appoint two (2) members of the governing

13 authority and three (3) residents or owners of property in the district to

14 serve on the Municipal Management District commission. No commission member

15 shall receive compensation. The commission may retain legal counsel and staff

16 assistance may be provided by the municipality. Terms of the commissioners

17 will be decided by local ordinance not to exceed five (5) years. Upon

18 termination of the district, the municipality shall accept maintenance

19 responsibility for the improvements. The life of the district shall not

20 exceed ten (10) years at which time all improvements, debts, and charges will

21 be paid in full.

22

23 SECRTION 5. Municipal Management Districts may establish and maintain

24 reasonable and nondiscriminatory rates, fares, tolls, charges, assessments,

25 rents or other fees or compensation for the use of the improvements

26 constructed, operated or maintained by the district. The district shall be

27 audited by a certified public accountant each year with the audit findings

28 being published in a daily newspaper with circulation including the district.

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30 SECTION 6. All provisions of this act of a general and permanent nature

31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

32 Revision Commission shall incorporate the same in the Code.

33

34 SECTION 7. If any provision of this act or the application thereof to

35 any person or circumstance is held invalid, such invalidity shall not affect

36 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 8. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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/s/ B. Walker, et al