

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: S2/27/01*

## A Bill

SENATE BILL 522

5 By: Senator Hoofman  
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### **For An Act To Be Entitled**

9 AN ACT TO AMEND ARKANSAS CODE 27-74-203 TO PROVIDE FOR  
10 A JUDICIAL HEARING DE NOVO FROM AN ADVERSE DECISION OF  
11 THE STATE HIGHWAY COMMISSION REGARDING THE ERECTION OF  
12 AN OUTDOOR SIGN; AND FOR OTHER PURPOSES.  
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### **Subtitle**

14 AN ACT TO AMEND ARKANSAS CODE 27-74-203  
15 TO PROVIDE FOR A JUDICIAL HEARING DE  
16 NOVO FROM AN ADVERSE DECISION OF THE  
17 STATE HIGHWAY COMMISSION REGARDING THE  
18 ERECTION OF AN OUTDOOR SIGN.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas code 27-74-203 is amended to read as follows:  
25 27-74-203. Regulation.

26 (a) The erection and maintenance of outdoor advertising signs,  
27 displays, and devices in areas six hundred sixty feet (660') in width from the  
28 nearest edge of any right-of-way of any interstate, primary, or other state  
29 highway designated by the State Highway Commission shall be regulated in order  
30 to protect the public investment in these highways, to promote the public  
31 safety and welfare in the use of these highways, to encourage the recreational  
32 value of public travel, and to preserve the natural beauty along these  
33 highways.

34 (b) Therefore, no outdoor sign, display, or device shall be erected in  
35 these areas except as hereinafter provided and in accordance with regulations  
36 promulgated by the State Highway Commission, hereinafter called the

1 commi ssi on.

2 (c) Any person whose business or property has been injured by a final  
3 adverse decision from the commi ssi on shall be entitled to a judicial hearing  
4 de novo in the circui t court of any county in which the person resides or does  
5 business, or in the Pul aski County Circui t Court, if the interests affected by  
6 the deci sion of the commi ssi on are consti tutionally or statutorily preserved,  
7 or preserved by private agreement, so that their enforcement is a matter of  
8 right.

9 /s/ Hoofman

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