

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 85th General Assembly
3 Regular Session, 2005
4

As Enrolled: H2/7/05 H2/15/05 S3/2/05

A Bill

HOUSE BILL 1349

5 By: Representatives Overbey, Medley, Pyle, *Matayo*
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For An Act To Be Entitled

9 AN ACT TO CLARIFY THE IDENTITY OF THE ANNEXING
10 MUNICIPALITY WHEN AN UNINCORPORATED AREA IS
11 SURROUNDED BY TWO (2) MUNICIPALITIES; AND FOR
12 OTHER PURPOSES.
13

Subtitle

15 AN ACT TO CLARIFY THE IDENTITY OF THE
16 ANNEXING MUNICIPALITY WHEN AN
17 UNINCORPORATED AREA IS SURROUNDED BY TWO
18 (2) MUNICIPALITIES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 14-40-501 is amended to read as follows:
24 14-40-501. Authority - Exceptions.

25 (a)(1) Whenever the incorporated limits of a municipality have
26 completely surrounded an unincorporated area, the governing body of the
27 municipality may propose an ordinance calling for the annexation of the land
28 surrounded by the municipality.

29 (2)(A) If the incorporated limits of two (2) municipalities have
30 completely surrounded an unincorporated area, the governing body of the
31 municipality with city limits contiguous to more than fifty percent (50%) of
32 the perimeter of the surrounded unincorporated area may propose an ordinance
33 calling for the annexation of the land surrounded by the municipalities.

34 (B) For purposes of subdivision (a)(2) of this section,
35 the unincorporated area shall be less than or equal to eighty (80) acres and
36 have fewer than five (5) landowners.



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~~(2)~~ (3) The ordinance will provide a legal description of the land to be annexed and describe generally the services to be extended to the area to be annexed.

(b)(1) The unincorporated area to be annexed shall comply with the standards for lands qualifying for annexation which are set forth in § 14-40-302.

(2) Privately owned lakes exceeding six (6) acres of water surface which are used exclusively for recreational purposes and lands adjacent thereto not exceeding twenty (20) acres in size which are used exclusively for recreational purposes in relation to the lake shall not qualify for annexation under the provisions of this subchapter.

/s/ Overbey