

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 Engrossed: H2/14/05

# A Bill

HOUSE BILL 1384

5 By: Representatives Overbey, Medley  
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## For An Act To Be Entitled

9 AN ACT TO CLARIFY THE POWER OF A MUNICIPAL  
10 CORPORATION TO PURCHASE, LEASE, OR SELL REAL OR  
11 PERSONAL PROPERTY; AND FOR OTHER PURPOSES.  
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### Subtitle

13 AN ACT TO CLARIFY THE POWER OF A  
14 MUNICIPAL CORPORATION TO PURCHASE,  
15 LEASE, OR SELL REAL OR PERSONAL  
16 PROPERTY.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 14-54-302 is amended to read as follows:  
23 14-54-302. Purchase, lease, and sale authorized.

24 *(a)(1) Municipal corporations are empowered and authorized to ~~buy,~~*  
25 *sell, convey, lease, rent, or let any real estate or personal property owned*  
26 *or controlled by the municipal corporations. This power and authorization*  
27 *shall extend and apply to all such real estate and personal property,*  
28 *including that which is held by the municipal corporation for public or*  
29 *governmental uses and purposes.*

30 *(2) Municipal corporations are empowered and authorized to buy*  
31 *any real estate or personal property.*

32 (b) Municipal corporations are also empowered and authorized to donate  
33 property, or any part thereof, to the federal government or any agency  
34 thereof, for any one (1) or more of the following purposes. Having the real  
35 estate, personal property, or both, activated, reactivated, improved, or  
36 enlarged by the donee, the municipal corporation may donate the fee simple



1 title and absolute interest, without any reservations or restrictions, in and  
2 to all real estate, personal property, or both, or any part of the property,  
3 to the federal government, if this property was previously conveyed, or  
4 otherwise transferred, by the federal government to the municipal  
5 corporation, without cost to the municipal corporation. All other donation  
6 instruments shall contain provisions by which the title to the property  
7 donated shall revert to the municipal corporation when the donated property  
8 is no longer used by the donee for the purposes for which it was donated.

9 (c) The execution of all contracts and conveyances and lease contracts  
10 shall be performed by the mayor and city clerk or recorder, when authorized  
11 by a resolution, in writing, approved by a majority vote of the city council  
12 present and participating.

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14 */s/ Overbey, et al*  
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