

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

# A Bill

HOUSE BILL 1441

4  
5 By: Representative Wood  
6 By: Senator Salmon

## For An Act To Be Entitled

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10 AN ACT TO PROVIDE FOR THE CONSOLIDATION OF FIRE  
11 PROTECTION DISTRICTS IN CITIES OF THE FIRST CLASS  
12 BY A VOTE OF THE PEOPLE; AND FOR OTHER PURPOSES.

## Subtitle

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15 AN ACT TO PROVIDE FOR THE CONSOLIDATION  
16 OF FIRE PROTECTION DISTRICTS IN CITIES  
17 OF THE FIRST CLASS BY A VOTE OF THE  
18 PEOPLE.

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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 § 14-284-124 is amended to read as follows:  
24 14-284-124. Consolidation - Conditions and procedures.

25 (a) Fire protection districts organized under this subchapter may  
26 consolidate if:

- 27 (1) The districts are geographically contiguous;  
28 (2) Located in the same county; and  
29 (3) No parcel of land in the new district will be more than  
30 three (3) miles from an existing fire station.

31 (b)(1) Consolidation of fire protection districts may be initiated  
32 upon the adoption of a resolution for consolidation by the board of directors  
33 of each district.

34 (2)(A) Upon adopting a resolution, each fire protection district  
35 shall hold a public hearing to be held in the district no sooner than twenty  
36 (20) days and no later than forty-five (45) days following the adoption of



1 the resolution.

2 (B)(i) Each district shall publish notice of its hearing  
 3 in a newspaper of general circulation in the district once a week for two (2)  
 4 consecutive weeks.

5 (ii) The notice shall include the date, time, place,  
 6 and purpose of the hearing.

7 (3)(A) Following the hearing, the commissioners of the district  
 8 shall vote on a resolution finding that consolidation of the districts is in  
 9 the best interest of the landowners of the district.

10 (B) If the resolution is adopted by the board of  
 11 commissioners, a copy of the resolution shall be sent to the county court in  
 12 the county where the district is located.

13 (4)(A) Upon receiving a resolution from each district to be  
 14 consolidated, the county court shall order the districts consolidated and  
 15 shall name five (5) commissioners of the new district.

16 (B) The new commissioners shall be appointed pursuant to §  
 17 14-284-105.

18 (c)(1) In cities of the first class that have two (2) or more full-  
 19 time volunteer fire protection districts, the governing body of the city may  
 20 refer to the voters the option to consolidate the districts.

21 (2) If a majority of the voters vote in favor of consolidation,  
 22 the districts shall consolidate as set forth in subsections (d) through (f)  
 23 of this section.

24 ~~(d)~~(1) Any fire protection district which is formed by the  
 25 consolidation of two (2) or more fire protection districts shall consolidate  
 26 all assets held by it arising from any of the districts and shall also assume  
 27 all liabilities of the districts. The assets may be used by the district for  
 28 any purpose allowed by law, and the liabilities of the district may be paid  
 29 with funds arising from any source.

30 (2) All the provisions, rights, securities, pledges, covenants,  
 31 and limitations contained in the instrument creating a liability shall not be  
 32 affected by the consolidation but shall apply with the same force and effect  
 33 as provided in the original creation of liability.

34 ~~(d)~~(e)(1) The existing assessments of each district consolidated into  
 35 the new district shall remain in force until the end of the year in which the  
 36 districts are consolidated.

1           (2) The commissioners shall order the assessors to reassess the  
2 annual benefits of the new district for the following year.

3           ~~(e)~~(f)(1) A consolidated fire protection district shall not have notes  
4 outstanding at any one (1) time in excess of one hundred thousand dollars  
5 (\$100,000).

6           (2) The limitation of the excess outstanding note balance under  
7 this subsection shall not apply to a consolidation of fire protection  
8 districts in a city of the first class that has two (2) or more full-time  
9 volunteer fire protection districts that have received funding from the city.

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