

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 1987

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5 By: Representative Childers
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For An Act To Be Entitled

8
9 AN ACT TO CLARIFY THE EFFECTIVE DATES OF CITY
10 ORDINANCES; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT TO CLARIFY THE EFFECTIVE DATES OF
14 CITY ORDINANCES.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 14-55-203 is amended to read as follows:
20 14-55-203. Voting requirements for passage - Effective dates.

21 (a) On the passage of every bylaw, ordinance, resolution, or order to
22 enter into a contract by the council of any municipal corporation, the yeas
23 and nays shall be called and recorded.

24 (b) To pass any bylaw, ordinance, resolution, or order, a concurrence
25 of a majority of a whole number of members elected to the council shall be
26 required.

27 (c) The effective dates for ordinances of a general or permanent
28 nature and other local measures of a general or permanent nature of cities of
29 the first class, cities of the second class, and incorporated towns shall be
30 as follows:

31 (1) Upon publication or posting as is otherwise required by law,
32 but not before ninety-one (91) days after passage by the governing body of
33 the city or town;

34 (2) In the event that the governing body of the city or town has
35 by ordinance fixed the deadline for filing referendum petitions upon
36 ordinances or other local measures at not less than thirty (30) days nor more



1 than ninety (90) days after passage of an ordinance or measure, then the
2 effective date shall be the day next following the deadline fixed in the
3 ordinance; or

4 (3) An ordinance containing an emergency clause shall go into
5 effect immediately upon passage or at the time specified by the emergency
6 clause, regardless of publication or posting, but an emergency clause shall
7 not be effective to impose any fine, penalty, forfeiture, or deprivation of
8 liberty or property until after the ordinance has been published or posted as
9 is otherwise required by law.

10 (d) The effective date of an ordinance that is not of a general or
11 permanent nature of a city of the first class, city of the second class, or
12 incorporated town is the date of passage of the ordinance unless a later
13 effective date is provided in the ordinance.

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15 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
16 General Assembly of the State of Arkansas that the laws concerning the
17 effective dates of local ordinances are in need of immediate clarification;
18 that the orderly administration of cities requires certainty in the
19 application of local laws; and that this act is necessary to ensure that
20 local residents and city administration have clear direction in the
21 applicability and effective dates of local ordinances. Therefore, an
22 emergency is declared to exist and this act being immediately necessary for
23 the preservation of the public peace, health, and safety shall become
24 effective on:

25 (1) The date of its approval by the Governor;

26 (2) If the bill is neither approved nor vetoed by the Governor,
27 the expiration of the period of time during which the Governor may veto the
28 bill; or

29 (3) If the bill is vetoed by the Governor and the veto is
30 overridden, the date the last house overrides the veto.

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