

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 2799

4  
5 By: Representatives Scroggin, L. Evans, Sullivan, S. Prater, Adams  
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## For An Act To Be Entitled

9 AN ACT CONCERNING THE USE OF LAKESIDE BUFFERS AND  
10 STREAMSIDE BUFFERS ACQUIRED BY A CONSOLIDATED  
11 WATERWORKS SYSTEM THROUGH EMINENT DOMAIN; AND FOR  
12 OTHER PURPOSES.  
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## Subtitle

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15 AN ACT CONCERNING THE USE OF LAKESIDE  
16 BUFFERS AND STREAMSIDE BUFFERS ACQUIRED  
17 BY A CONSOLIDATED WATERWORKS SYSTEM  
18 THROUGH EMINENT DOMAIN.  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 25, Chapter 20, Subchapter 3 is amended  
24 to add an additional section to read as follows:

25 25-20-324. Lakeside buffers and streamside buffers – Eminent domain.

26 (a) If a consolidated waterworks system exercises the power of eminent  
27 domain to acquire real property for a lakeside buffer or streamside buffer,  
28 the real property must remain in its natural state and shall not be further  
29 developed.

30 (b)(1) If a consolidated waterworks system determines that it does not  
31 need all or a part of the real property it acquired for a lakeside buffer or  
32 streamside buffer through eminent domain, the consolidated waterworks system  
33 may sell the real property.

34 (2) The former property owner or the heirs of the former  
35 property owner shall have the right of first refusal to repurchase the real  
36 property and shall be entitled to repurchase the real property at the same



1 price that was paid for the real property when it was acquired through  
2 eminent domain.

3 (c) As used in this section "lakeside buffer or streamside buffer"  
4 means protected zones, typically one hundred feet (100') to three hundred  
5 feet (300') in width, which are located on the bank of a public water supply  
6 or on the bank of a stream which is located within the watershed of a public  
7 water supply and is generally preserved in its natural state.