

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 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

HOUSE BILL 1717

5 By: Representatives J. Edwards, Ingram, Slinkard  
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## For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING  
9 CONFLICTING ANNEXATION ELECTIONS; AND FOR OTHER  
10 PURPOSES.  
11

## Subtitle

12 TO AMEND ARKANSAS LAW CONCERNING  
13 CONFLICTING ANNEXATION ELECTIONS.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 14-40-303(f), concerning conflicting  
21 annexation elections, is amended to read as follows:

22 (f)(1) In the event that within thirty (30) days of the date that one  
23 (1) city calls for an annexation election, another city calls for an  
24 annexation election on all or part of the same land proposed to be annexed by  
25 the first city, then both annexation elections shall be held, provided that  
26 the second city must call for its annexation election to be held on the next  
27 available date in accordance with § 7-5-103(b) before or after the holding of  
28 the first city's election.

29 (2)(A) If the annexation election held first is approved by the  
30 voters, the results of it shall be stayed until the second annexation  
31 election is held.

32 (B)(i) If only one (1) of the annexation elections is  
33 approved by the voters, then the city that called that election shall proceed  
34 with the annexation of the land.

35 (ii)(a) Except as provided in subdivisions  
36 (f)(2)(B)(ii)(b) and (c) of this section, if both annexation elections are



1 approved by the voters, then a third election shall be held three (3) weeks  
2 after the second annexation election. The provisions of § 7-5-103(b)  
3 governing the procedures and dates on which special elections may be held  
4 shall not apply to the third annexation election provided in this subsection.

5 (b) If the date of the third election falls  
6 upon a legal holiday, the election shall be held four (4) weeks after the  
7 second annexation election.

8 (c) If the date of the election under  
9 subdivision (f)(2)(B)(ii)(b) of this section is a legal holiday, the election  
10 shall be held five (5) weeks after the second annexation election.

11 (iii) Notice of the third election shall be  
12 published in a newspaper circulated in the area to be annexed during the  
13 ~~three-week~~ period following the second election.

14 (iv) Only the residents of the area proposed to be  
15 annexed by both cities shall vote in the third election.

16 (v) The issue on the ballot in the third election  
17 shall be into which of the two (2) cities the residents of the area want to  
18 be annexed.

19 (vi) The area shall be annexed into the city  
20 receiving the most votes in the third election.

21 (vii) In the event of a tie vote in the third  
22 election, the area shall be annexed to the city that had the highest  
23 percentage vote in favor of the annexation in the first or second election.

24 (3) If the city that does not get to annex the area voted on by  
25 both cities included land in its annexation election other than the land  
26 voted on by both cities, then that land shall be annexed into such city if it  
27 is still contiguous to such city after the other land is annexed to the other  
28 city, but such land shall remain part of the county if it is not so  
29 contiguous.

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