

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

SENATE BILL 331

5 By: Senator Bledsoe
6 By: Representatives Baird, Slinkard
7

For An Act To Be Entitled

10 AN ACT TO MODIFY THE LAW CONCERNING THE SERVICE
11 AREA AND DUES OF VOLUNTEER FIRE DEPARTMENTS; AND
12 FOR OTHER PURPOSES.
13

Subtitle

14 TO MODIFY THE LAW CONCERNING THE SERVICE
15 AREA AND DUES OF VOLUNTEER FIRE
16 DEPARTMENTS.
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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 § 14-20-108 is amended to read as follows:

23 14-20-108. Dues for volunteer fire departments.

24 (a)(1)(A) The quorum court of each county, upon request ~~therefor~~ filed
25 with the quorum court by one (1) or more volunteer fire departments in the
26 county, may adopt an ordinance authorizing a designated county official to
27 collect and remit to the volunteer fire department ~~or departments~~ the annual
28 or quarterly dues charged by the volunteer fire department ~~or departments~~ in
29 consideration of providing fire protection to unincorporated areas in the
30 county.

31 (B)(i)(a) When ~~any county~~ a quorum court receives a
32 request for the levy of volunteer fire department dues and the request has
33 been signed by the fire chief and the chair and secretary of the board of
34 directors, if any, of a volunteer fire department and filed with the county
35 clerk, the quorum court by ordinance shall call for an election on the issue
36 of the levy of the volunteer fire department dues on each residence and on



1 each business having an occupiable structure ~~if the request has been signed~~
2 ~~by the fire chief and all other officers of a volunteer fire department and~~
3 ~~filed with the county clerk.~~

4 (b)(1) The issue may be placed on the ballot
5 at a special election by order of the ~~county~~ quorum court in accordance with
6 § 7-5-103(b).

7 (2) The special election shall be held
8 by August 1.

9 (c)(1) If the levy is approved by a majority
10 of those voting on the issue, the dues shall be listed annually on real
11 property tax statements and collected by the county collector at the same
12 time and in the same manner as real property taxes.

13 (2)(A) The county collector shall report
14 delinquencies to the volunteer fire department for collection.

15 (B) A volunteer fire department
16 may collect dues that have become delinquent and may enforce collection by
17 proceedings in a court of proper jurisdiction.

18 (ii) The cost of the election shall be borne by the
19 volunteer fire department ~~or departments~~ that requested the levy.

20 (2) The ordinance enacted by the quorum court shall set forth
21 the terms and conditions on which ~~such~~ the dues are to be collected by the
22 county and for the remission of the dues to the volunteer fire ~~departments~~
23 department.

24 (3) ~~Provided, however, active members of the volunteer fire~~
25 ~~departments~~ However, an active member of a volunteer fire department whose
26 annual or quarterly dues are collected in this manner may be exempt from the
27 annual or quarterly dues charged by the volunteer fire department at the
28 discretion of the volunteer fire department in consideration of providing
29 services to the volunteer fire department.

30 (b)(1) The quorum court by majority vote may designate the
31 geographical area that a volunteer fire department ~~may serve~~ serves.

32 (2) Upon request by a volunteer fire department, the quorum
33 court of each county involved may authorize a volunteer fire department to
34 serve a geographical area to extend across the county boundary lines.

35 (c) The quorum court may establish its own countywide fire department,
36 either regular or voluntary.

(d) This section does not change the authority of intergovernmental cooperation councils to enter into reciprocal agreements or to distribute funds under § 14-284-401 et seq. and § 26-57-614.

(e)(1) If approved by ordinance by the governing body of an incorporated town or a city of the second class on the request of and signed by the fire chief and the chair and secretary of the board of directors, if any, of a volunteer fire department, an incorporated town or a city of the second class located in the volunteer fire department district that is not served by a fire department may be included in the fire protection area with the dues levied and collected in the same manner as in the unincorporated areas served by the volunteer fire department district.

(2)(A) The governing body of the incorporated town or city of the second class by ordinance shall call for an election on the ordinance under subdivision (e)(1) of this section.

(B) The issue may be placed on the ballot at a special election by order of the governing body in accordance with § 7-5-103(b), and the special election shall be held by August 1.

(C) If the issue is approved by a majority of those voting on the issue, the incorporated town or city of the second class shall be served by the volunteer fire department district with the dues levied and collected in the same manner as in the unincorporated areas served by the volunteer fire department district.

(D) The cost of the election shall be borne by the governing body of the incorporated town or city of the second class that called for the election.

(f) At the discretion of a volunteer fire department, a church served by a volunteer fire department may be exempt from dues if the church is exempt from real property taxes.

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