

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

A Bill

SENATE BILL 937

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5 By: Senator D. Wyatt
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For An Act To Be Entitled

8
9 AN ACT TO AMEND THE ASSESSMENT PROCEDURE FOR
10 CERTAIN FIRE IMPROVEMENT DISTRICTS; AND FOR OTHER
11 PURPOSES.
12

Subtitle

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14 TO AMEND THE ASSESSMENT PROCEDURE FOR
15 CERTAIN FIRE IMPROVEMENT DISTRICTS.
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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 § 14-284-208(f)(5), concerning removal of
21 commission members, is amended to read as follows:

22 (5)(A)(i) Members of the board may be removed by a special
23 election to be held within ninety (90) days after the presentation of a
24 special election removal petition signed by ten percent (10%) of the assessed
25 landowners or the assessed per-parcel or per-acre owners, with the removal of
26 the board member to be determined by the majority votes of the votes cast in
27 person by the assessed landowners or the assessed per-parcel or per-acre
28 property owners.

29 (ii) Each assessed landowner or assessed parcel or
30 acre property owner shall have one (1) vote per paid assessment.

31 (B) The election for the removal of board members shall be
32 held at a meeting at a designated location within the fire protection
33 district.
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35 SECTION 2. Arkansas Code § 14-284-212(g), concerning an alternative
36 method of assessment of benefits, is amended to read as follows:



1 (g)(1)(A) The elected board of commissioners of a fire protection
2 district formed after July 3, 1995, under this subchapter may, ~~as an~~
3 ~~alternative to assessing benefits,~~ assess a flat fee per parcel of land or
4 per acre of land located within the district or assess a flat fee per
5 landowner who owns land located within the district, as an alternative to
6 assessing benefits.

7 (B) The elected board of commissioners of a fire
8 protection district formed after July 3, 1995, under this subchapter, may
9 establish a different flat fee for the classification of property as
10 commercial property other than for residential property and a different flat
11 fee for the classification of property as unimproved property.

12 (C) The elected board of commissioners may determine if a
13 parcel of property or acre is to be classified as commercial, residential, or
14 unimproved property.

15 (D) If the elected board of commissioners of a fire
16 protection district formed after July 3, 1995, under this subchapter,
17 assesses the flat fee per landowner and also establishes different flat fee
18 classifications per parcel or per acre, and if a landowner owns more than one
19 (1) parcel or one (1) acre of property within the fire district with
20 different flat fee classifications, the landowner is to be annually assessed
21 one (1) time the highest flat fee classification assessment.

22 (2)(A) If the elected board of commissioners of a fire
23 protection district formed after July 3, 1995, under this subchapter,
24 assesses an increase in the flat fee per-parcel or per-acre classification or
25 an increase in the assessment per landowner or an increase in the assessment
26 for both parcel or acre classification and landowner, the increased
27 assessment must be approved in an election by a majority vote of the votes
28 cast in person by the assessed landowners or the assessed per-parcel or per-
29 acre property owners.

30 (B) The election called by the elected board of
31 commissioners for an increase in the flat fee assessment shall be held within
32 ninety (90) days after the board of commissioners' meeting that approves the
33 assessment increase.

34 (C) Notice of the election must be published at least
35 three (3) times by insertion in a newspaper of general circulation within the
36 fire protection district and by a public notice posted at the fire stations

1 within the fire protection district.

2 (D) The election for the assessment increase shall be held
3 at a designated location within the fire protection district.

4 (E) Each assessed landowner or assessed parcel or acre
5 property owner shall have one (1) vote per paid assessment.

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