

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

SENATE BILL 149

5 By: Senator E. Williams  
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## For An Act To Be Entitled

8 AN ACT CONCERNING A MUNICIPAL PETITION FOR  
9 INCORPORATION; AND FOR OTHER PURPOSES.  
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## Subtitle

11 CONCERNING A MUNICIPAL PETITION FOR  
12 INCORPORATION.  
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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 § 14-38-101(b)(1), concerning the approval of  
20 incorporation, is amended to read as follows:

21 (b)(1) The court shall not approve the incorporation of any  
22 municipality if any portion of the territory proposed to be embraced in the  
23 incorporated town shall lie within five (5) miles from the corporate limits  
24 of an existing municipal corporation ~~and within the area in which that~~  
25 ~~existing municipal corporation is exercising its planning territorial~~  
26 ~~jurisdiction~~, unless the governing body of the municipal corporation has  
27 affirmatively consented to the incorporation by written resolution.  
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