

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: H4/1/13*  
**A Bill**

HOUSE BILL 1395

5 By: Representatives Williams, Sabin  
6

7 **For An Act To Be Entitled**

8 AN ACT TO AMEND THE LAW CONCERNING THE CAPITOL ZONING  
9 DISTRICT COMMISSION; AND FOR OTHER PURPOSES.

10  
11  
12 **Subtitle**

13 TO AMEND THE LAW CONCERNING THE CAPITOL  
14 ZONING DISTRICT COMMISSION.  
15

16  
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
18

19 SECTION 1. Arkansas Code § 22-3-308(b), concerning coordination by the  
20 Capitol Zoning District Commission with other agencies, is amended to read as  
21 follows:

22 (b)(1) Subject to the requirements of due process and consistent with  
23 any applicable federal restrictions and regulations as in effect on January  
24 1, ~~2011~~ 2013, the commission may enter into agreements with the City of  
25 Little Rock providing for mutual cooperation and joint regulation within the  
26 Capitol Zoning District with respect to:

27 (A) ~~planning~~ Planning and zoning;

28 (B) ~~permission~~ Permission to build upon or otherwise use  
29 land;

30 (C) ~~the enforcement~~ Enforcement through stop work orders,  
31 citations, fines, and inspection to ensure compliance of building, safety,  
32 zoning, and health codes; and

33 (D) ~~other~~ Other matters within the jurisdiction of the  
34 commission.

35 (2)(A) ~~An~~ Except to the extent enforcement by the City of Little  
36 Rock is authorized in this section, an agreement under subdivision (b)(1) of



1 this section between the City of Little Rock and the commission ~~may~~ does not  
2 cede the commission's final authority and responsibility over the matters  
3 *entrusted to it by law.*

4 *(B) All enforcement actions undertaken by the City of*  
5 *Little Rock under this section shall require authorization by the commission*  
6 *prior to the commencement of the enforcement action.*

7 *(3)(A) A violation of the commission's regulations is*  
8 *enforceable in Little Rock District Court in the same manner as the*  
9 *enforcement of a violation of a municipal ordinance.*

10 *(B) Subdivision (b)(3)(A) of this section applies only to*  
11 *violations that occur on or after the effective date of this act and does not*  
12 *apply to work in place prior to the effective date of this act.*

13  
14 SECTION 2. Arkansas Code § 22-3-310, concerning appeals of Capitol  
15 Zoning District Commission actions, is amended to add an additional  
16 subsection to read as follows:

17 *(c) This section does not preclude enforcement of the commission's*  
18 *regulations by the City of Little Rock in Little Rock District Court under an*  
19 *agreement with the commission under § 22-3-308.*

20  
21 /s/Williams  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36