

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

As Engrossed: S3/20/13 S4/1/13

A Bill

SENATE BILL 530

5 By: Senator B. Sample
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For An Act To Be Entitled

8 AN ACT TO MODIFY THE LAW CONCERNING DETACHMENT AFTER
9 ANNEXATION IN CERTAIN CIRCUMSTANCES; TO PROHIBIT
10 ENCLAVES; AND FOR OTHER PURPOSES.
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Subtitle

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14 TO MODIFY THE LAW CONCERNING DETACHMENT
15 AND ANNEXATION IN CERTAIN CIRCUMSTANCES.
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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 Title 14, Chapter 40, Subchapter 5, is
21 amended to add an additional section to read as follows:

22 14-40-504. Enclaves prohibited.

23 (a) Whenever practicable, a city or incorporated town shall annex
24 lands that are contiguous and in a manner that does not create enclaves.

25 (b) As used in this section, "enclave" means an unincorporated
26 improved or developed area that is enclosed within and bounded on all sides
27 by a single city or incorporated town.
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29 SECTION 2. Arkansas Code § 14-40-601 is amended to read as follows:

30 14-40-601. Application by petition.

31 (a) ~~Whenever~~ When a majority of the real estate owners of any part of
32 a county contiguous to and adjoining any city or incorporated town ~~shall~~
33 ~~desire~~ desires to be annexed to the city or town, they may apply, by attested
34 petition in writing, to the county court of the county in which the city or
35 town is *situated* ~~and~~, *shall* name the persons authorized to act on behalf of
36 the petitioners, and may include a schedule of services of the annexing



1 municipality that will be extended to the area within three (3) years after
2 the date the annexation becomes final.

3 (b) The “majority of real estate owners” referred to in this section
4 ~~shall mean~~ means a majority of the total number of real estate owners in the
5 area affected, if the majority of the total number of owners ~~shall~~ own more
6 than one-half ($\frac{1}{2}$) of the acreage affected.

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/s/B. Sample