1   State of Arkansas   *As Engrossed: S3/18/13 S3/27/13*

2   89th General Assembly   A Bill

3   Regular Session, 2013   SENATE BILL 531

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5   By: Senator B. Sample

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7   **For An Act To Be Entitled**

8   AN ACT TO AMEND THE LAW CONCERNING THE REQUIREMENTS

9   FOR ANNEXATION; AND FOR OTHER PURPOSES.

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12   **Subtitle**

13   TO AMEND THE LAW CONCERNING THE

14   REQUIREMENTS FOR ANNEXATION.

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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 § 14-40-302(b)(1), concerning municipal*

20   *annexation authority and exceptions, is amended to read as follows:*

21   (b)(1) Contiguous lands shall not be annexed ~~when~~ if they ~~either~~:

22   (A) ~~Have~~ At the time of the adoption of the ordinance,

23   have a fair market value~~, at the time of the adoption of the ordinance,~~ of

24   lands used only for agricultural or horticultural purposes and the highest

25   and best use of the lands is for agricultural or horticultural purposes; ~~or~~

26   (B) Are lands upon which a new community is to be

27   constructed with funds guaranteed, in whole or in part, by the federal

28   government under Title IV of the Housing and Urban Development Act of 1968 or

29   under Title VII of the Housing and Urban Development Act of 1970;

30   (C) Are lands that do not include residents, except as

31   agreed upon by the mayor and county judge; or

32   (D) Are lands that do not encompass the entire width of

33   public road right-of-way or public road easements within the lands sought to

34   be annexed, except as agreed upon by the mayor and county judge.

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36   *SECTION 2. Arkansas Code § 14-40-302, concerning municipal annexation*

1   *authority and exceptions, is amended to add an additional subsection to read*

2   *as follows:*

3   (d)(1) Whenever practicable, a city or incorporated town shall annex

4   lands that are contiguous and in a manner that does not create enclaves.

5   (2) As used in this section, "enclave" means an unincorporated

6   improved or developed area that is enclosed within and bounded on all sides

7   by a single city or incorporated town.

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9   */s/B. Sample*

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