

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

A Bill

SENATE BILL 861

4
5 By: Senator Irvin

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW TO ALLOW MORE TRANSPARENCY IN
9 ANNEXATION AND DETACHMENT PROCEEDINGS; AND FOR OTHER
10 PURPOSES.

Subtitle

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13 THE ANNEXATION AND DETACHMENT
14 TRANSPARENCY ACT.

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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, is amended to add an
21 additional subchapter to read as follows:

22 14-40-2201. Annexation and provision of scheduled services.

23 (a)(1) Beginning March 1, 2014, the mayor or city manager of a city or
24 unincorporated town shall file annually with the city clerk and county clerk
25 a written notice describing any voluntary or involuntary annexations that
26 have become final in the previous twelve (12) years.

27 (2) The written notice shall include:

28 (A) The schedule of services to be provided to the
29 inhabitants of the annexed portion of the city; and

30 (B) A statement as to whether the services, including
31 utilities in the schedule of services, have been provided to the inhabitants
32 of the annexed portions of the city.

33 (b) If the scheduled services, including utilities, have not been
34 provided to the new inhabitants within three (3) years after the date the
35 annexation becomes final, the written notice reporting the status of the
36 extension of services shall:



1 (1) Include a statement of the rights of inhabitants to seek
2 detachment; and

3 (2) Be published in a newspaper of general circulation in the
4 county one (1) time for each of two (2) consecutive weeks.

5 (c) A city or unincorporated town shall not proceed with voluntary or
6 involuntary annexations if there are pending scheduled services that have not
7 been provided.

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9 14-40-2202. Inhabitants of annexed area.

10 (a) In all voluntary or involuntary annexations under § 14-40-303 and
11 in accordance with § 14-40-606, after the territory declared annexed is
12 considered part of a city or unincorporated town, the inhabitants residing in
13 the annexed portion shall:

14 (1) Have all the rights and privileges of the inhabitants of the
15 annexing city or incorporated town; and

16 (2)(A) Be extended the schedule of services including utilities
17 to the area and property boundaries of the inhabitants within three (3) years
18 after the date the annexation becomes final.

19 (B) The mayor of the municipality shall file a report
20 providing written notice to the new inhabitants of the status of the
21 extension of services.

22 (b) If the scheduled services have not been extended to the area and
23 property boundaries of the new inhabitants within three (3) years after the
24 date annexation becomes final, the written notice reporting the status of the
25 extension of services shall:

26 (1) Include a written plan for completing the extension of
27 services and estimated date of completion;

28 (2) Include a statement of the rights of inhabitants to seek
29 detachment; and

30 (3) Be published in a newspaper of general circulation in the
31 county one (1) time for each of two (2) consecutive weeks.

32 (c) A city or unincorporated town shall not proceed with any
33 additional voluntary or involuntary annexation if there are pending scheduled
34 services that have not been extended as required under this subchapter.

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