

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

As Engrossed: S3/18/13

A Bill

SENATE BILL 861

5 By: Senator Irvin
6

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.
11

Subtitle

12
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, and each successive year thereafter,
24 the mayor or city manager of a city or unincorporated town shall file
25 annually with the city clerk and county clerk a written notice describing any
26 voluntary or involuntary annexations that have become final in the previous
27 eight (8) years.

28 (2) The written notice shall include:

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

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

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



1 extension of services shall include a statement of the rights of inhabitants
2 to seek detachment.

3 (c) A city or unincorporated town shall not proceed with voluntary or
4 involuntary annexations if there are pending scheduled services that have not
5 been provided in three (3) years as prescribed by law or the order granting
6 annexation.

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8 14-40-2202. Inhabitants of annexed area.

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

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

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

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

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

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

27 (2) Include a statement of the rights of inhabitants to seek
28 detachment.

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

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33 /s/Irvin
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