

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

As Engrossed: S3/18/13 S3/25/13

# 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 incorporated town shall file annually  
25 with the city clerk or recorder, town recorder, and county clerk a written  
26 notice describing any annexation elections that have become final in the  
27 previous 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 scheduled services have  
32 been provided to the inhabitants of the annexed portions of the city.

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



1 detachment.

2 (c) A city or incorporated town shall not proceed with annexation  
3 elections if there are pending scheduled services that have not been provided  
4 in three (3) years as prescribed by law.

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6 14-40-2202. Inhabitants of annexed area.

7 (a) In all annexations under § 14-40-303 and in accordance with § 14-  
8 40-606, after the territory declared annexed is considered part of a city or  
9 incorporated town, the inhabitants residing in the annexed portion shall:

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

12 (2)(A) Be extended the scheduled services within three (3)  
13 years after the date the annexation becomes final.

14 (B) The mayor of the municipality shall file a report with  
15 the city clerk or recorder, town recorder, and county clerk of the extension  
16 of scheduled services.

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

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

23 (2) Include a statement of the rights of inhabitants to seek  
24 detachment.

25 (c) A city or incorporated town shall not proceed with any additional  
26 annexation elections if there are pending scheduled services that have not  
27 been extended as required under this subchapter.

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29 /s/ Irvin  
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