

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

# A Bill

HOUSE BILL 1657

5 By: Representative Sturch  
6 By: Senator Irvin  
7

## For An Act To Be Entitled

9 AN ACT TO ADDRESS PETITIONS FOR MUNICIPAL  
10 INCORPORATION; TO ADDRESS CERTAIN ANNEXATION  
11 REQUIREMENTS; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 TO ADDRESS PETITIONS FOR MUNICIPAL  
16 INCORPORATION AND TO ADDRESS CERTAIN  
17 ANNEXATION REQUIREMENTS.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 14-38-101(a) and (b)(1), concerning  
23 petitions for incorporation, are amended to read as follows:

24 (a)(1) When the inhabitants of a part of ~~any a~~ county not embraced  
25 within the limits of any city or incorporated town ~~shall~~ desire to be  
26 organized into a city or incorporated town, they may apply, by a petition in  
27 writing, signed by the greater of either ~~two hundred (200)~~ three hundred  
28 (300) or a majority of the qualified voters residing within the described  
29 territory, to the county court of the proper county.

30 (2) The petition shall:

31 (A) Describe the territory proposed to be embraced in the  
32 incorporated town and have annexed to ~~it~~ the petition an accurate map or plat  
33 of the territory;

34 (B) State the name proposed for the incorporated town; and

35 (C) Name the persons authorized to act in behalf of the  
36 petitioners in prosecuting the petition.



1 (b)(1) The court shall not approve the incorporation of ~~any a~~  
 2 municipality if any portion of the territory proposed to be embraced in the  
 3 incorporated town ~~shall lie~~ lies within ~~five (5)~~ three (3) miles of an  
 4 existing municipal corporation ~~and within the area in which that existing~~  
 5 ~~municipal corporation is exercising its planning territorial jurisdiction,~~  
 6 unless the governing body of the municipal corporation has affirmatively  
 7 consented to the incorporation by written resolution.

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 9 SECTION 2. Arkansas Code § 14-40-302(c), concerning municipal  
 10 annexation of contiguous land, is amended to read as follows:

11 (c) However, a municipality ~~having a population of fewer than one~~  
 12 ~~thousand (1,000) persons~~ shall not annex in any one (1) calendar year  
 13 contiguous lands in excess of ten percent (10%) of the current land area of  
 14 the municipality.

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