

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

As Engrossed: H3/17/15

A Bill

HOUSE BILL 1657

5 By: Representatives Sturch, L. Fite
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.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

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 fifty (350) or a majority of the qualified voters residing within the
29 described 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.

8
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.

15
16
17
18 */s/Sturch*
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36