

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

A Bill

SENATE BILL 305

5 By: Senators J. Cooper, Burnett
6 By: Representatives Wallace, B. Smith
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING ANNEXATIONS BY ONE
10 HUNDRED PERCENT (100%) PETITION; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

15 TO AMEND THE LAW CONCERNING ANNEXATIONS
16 BY ONE HUNDRED PERCENT (100%) PETITION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code Title 14, Chapter 40, Subchapter 6, is
22 amended to add an additional section to read as follows:

23 14-40-609. Annexation by one hundred percent (100%) petition.

24 (a) As used in this section, "city or town" means:

25 (1) A city of the first class;

26 (2) A city of the second class; and

27 (3) An incorporated town.

28 (b)(1) An individual who owns property in a county that is contiguous
29 to a city or town may petition the governing body of the city or town to
30 annex the property that is contiguous to the city or town.

31 (2) The petition under subdivision (b)(1) of this section:

32 (A) Shall be in writing, attested by the property owner;

33 and

34 (B) May include a schedule of services of the annexing
35 city or town that will be extended to the area within three (3) years after
36 the date the annexation becomes final.



1 (c)(1)(A) By ordinance or resolution, the city or town may accept the
2 property for annexation to the city or town.

3 (B) The city or town is not required to accept the
4 property petitioned to be annexed.

5 (2) The ordinance or resolution shall contain an accurate
6 description of the property to be annexed.

7 (3) If the governing body of the city or town accepts the
8 contiguous property, the clerk or recorder of the city or town shall certify
9 and send one (1) copy of the plat of the annexed property and one (1) copy of
10 the ordinance or resolution of the governing body of the city or town to the
11 county clerk.

12 (d) The county clerk shall forward a copy of each document received
13 under subdivision (c)(3) of this section to the:

14 (1) Secretary of State, who shall file and preserve each copy;
15 and

16 (2) Director of the Tax Division of the Arkansas Public Service
17 Commission, who shall file and preserve each copy and notify all utility
18 companies having property in the city or town of the annexation proceedings.

19 (e)(1) Notwithstanding any other provisions in this chapter, upon
20 passage of the ordinance or resolution by the governing body of the city or
21 town under this section, the annexation shall be final and the property shall
22 be within the corporate limits of the city or town.

23 (2) The inhabitants residing in the newly annexed property shall
24 have and enjoy all the rights and privileges of the inhabitants within the
25 original limits of the city or town.

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