

1 State of Arkansas
2 93rd General Assembly
3 Regular Session

A Bill

HOUSE BILL 1164

4
5 By: Representative Maddox
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE CREATION OF
9 CERTAIN FIRE DEPARTMENTS AND IMPROVEMENT DISTRICTS;
10 AND FOR OTHER PURPOSES.
11

Subtitle

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13
14 TO AMEND THE LAW CONCERNING THE CREATION
15 OF CERTAIN FIRE DEPARTMENTS AND
16 IMPROVEMENT DISTRICTS.
17

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 14-284-201(a)(2)(B), concerning the
22 applicability of the subchapter, is amended to read as follows:

23 (B) A limited fire protection district ~~shall~~ may be
24 established by county ordinance upon the petition adopted by ordinance
25 addressed to the county judge and quorum court from a city or town fire
26 department that serves an area outside the city or town for the purpose of
27 contracting for the collection of assessments under this subchapter.
28

29 SECTION 2. Arkansas Code § 14-284-204(a) and (b), concerning the
30 establishment of a fire protection district outside of a city or town by
31 petition and adoption of an ordinance, is amended to read as follows:

32 (a)(1)~~(A)~~ If petitions containing a description of the territory for a
33 proposed fire protection district, along with an accurate map of the proposed
34 fire protection district boundaries, and containing the signatures of ten
35 percent (10%) or more of the qualified electors within the proposed fire
36 protection district are filed with the county quorum court of a county in



1 which the proposed fire protection district is to be located, and requesting
 2 to request a public hearing and the establishment of a fire protection
 3 district in the county, then the county quorum court or quorum courts, if the
 4 proposed fire protection district is located in more than one (1) county,
 5 shall conduct a public hearing to determine the support for the proposed fire
 6 protection district.

7 ~~(B)(i) A petition shall be certified by the quorum court~~
 8 ~~within sixty (60) days of receipt of the petition under subdivision (a)(1)(A)~~
 9 ~~of this section.~~

10 ~~(ii) The quorum court shall respond in writing to the~~
 11 ~~petitioners within the sixty-day period under subdivision (a)(1)(B)(i) of~~
 12 ~~this section if there are issues or questions the quorum court would like~~
 13 ~~addressed in the petition, but in no event shall the quorum court delay the~~
 14 ~~sixty-day period under subdivision (a)(1)(B)(i) of this section.~~

15 (2)(A) The quorum court shall set the time for the hearing to be
 16 held not less than thirty (30) days nor more than sixty (60) days after the
 17 petitions are certified and shall set the place for the hearing to be held
 18 within the boundaries of the proposed fire protection district.

19 (B) When a time and place for the hearing are set, the
 20 quorum court shall publish notice of the hearing in a newspaper of general
 21 circulation in the county.

22 (3)(A) Before setting the initial hearing on the adoption of an
 23 ordinance to establish a fire protection district, petitions filed with the
 24 county quorum court shall be sent to the county clerk of the county where the
 25 proposed fire protection district is to be located.

26 (B) It shall be the duty of the county clerk or clerks, as
 27 the case may be, to determine the sufficiency of the signatures and to
 28 certify the sufficiency in writing to the quorum court.

29 (C) The petitions shall indicate the elector's name, address, and
 30 signature and shall contain a verification of the signatures pursuant to § 7-
 31 9-109.

32 (b)(1) After the petitions are certified and the initial public hearing
 33 held, the county quorum court ~~shall~~ may adopt an ordinance to establish the
 34 fire protection district, to levy assessments on property or the landowners,
 35 or both, and to call for a public hearing on the ordinance.

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SECTION 3. Arkansas Code § 14-284-226 is amended to read as follows:
 14-284-226. Conversion to fire protection district.

(a) The governing body of a fire department that seeks to become a fire protection district shall make the request by petition to the quorum court of the county, or counties if the fire department serves more than one (1) county.

(b)~~(1)(A)~~ Upon the request by petition in subsection (a) of this section,~~the~~:

(1) The quorum court shall may grant the petition to convert the fire department to a fire protection district; and

(2) The fire department shall become a fire protection district using the procedures set out in this subchapter within sixty (60) days of receipt of the petition.

~~(B) The quorum court shall respond in writing to the fire department within the sixty-day period under subdivision (b)(1)(A) of this section if there are issues or questions the quorum court would like addressed in the petition, but in no event shall the quorum court delay the sixty-day period under subdivision (b)(1)(A) of this section.~~

~~(2) The fire protection district assessments shall be listed annually beginning with the next ad valorem real property tax statement and collected under § 14-284-216.~~