

ARKANSAS SENATE
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of Senate Bill No. 305

TO AMEND THE LAW CONCERNING ANNEXATIONS BY ONE HUNDRED PERCENT (100%) PETITION.

Amendment No. 1 to Senate Bill No. 305

Amend Senate Bill No. 305 as originally introduced:

Page 1, line 32, delete "owner;" and substitute "owner or owners;"

AND

Page 1, delete line 33, and substitute the following:

"(B) Shall contain an accurate description of the relevant property or properties; and"

AND

Page 1, line 34, delete "(B) May" and substitute "(C) Shall"

AND

Page 1, delete line 36, and substitute the following:

"the date the annexation becomes final.

(3) The petition shall be filed with the county assessor and the county clerk, and within fifteen (15) days of the filing, the county assessor and the county clerk shall:

(A) Verify the identity of the petitioner or petitioners;

(B) Verify that there are no property owners included in the petition that do not wish to have their property annexed;

(C) Verify that the property or properties are contiguous with the city or town; and

(D) Verify that no enclaves will be created if the petition is accepted by the city or town.

(c)(1) Upon completion of the verifications of the petition by the county assessor and the county clerk, the county assessor and the county clerk shall present the petition and verifications to the county judge who shall review the petition and verifications for accuracy.

(2) Within fifteen (15) days of the receipt of the petition and verifications, the county judge shall:

(A) Review the petition and verifications for completeness and accuracy;



(B) Determine that no enclaves will be created by the annexation;

(C) Confirm that the petition contains a schedule of services; and

(D) Issue an order articulating these findings and forward the petition and order to the contiguous city or town."

AND

Page 2, line 1, delete "(c)" and substitute "(d)"

AND

Page 2, line 1, delete "may accept" and substitute "may grant the petition and accept"

AND

Page 2, line 3, delete "to accept" and substitute "to grant the petition and accept"

AND

Page 2, line 12, delete "(d)" and substitute "(e)"

AND

Page 2, line 13, delete "(c)" and substitute "(d)"

AND

Page 2, line 19, delete "(e)" and substitute "(f)"

AND

Page 2, line 19, delete "upon" and substitute "thirty (30) days after"

AND

Page 2, delete line 25, and substitute the following:
"original limits of the city or town.

(g)(1) During the thirty-day period under subdivision (f)(1) of this section, a cause of action may be filed in the circuit court of the county of the annexation by a person asserting and having an ownership right in the property objecting to the petition or by any person asserting a failure to comply with this section.

(2) After the thirty-day period, an action under subdivision (g)(1) of this section is not timely."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Cooper
KLC/LLW - 03-11-2015 14:04:42
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Secretary