

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

HOUSE BILL 1448

5 By: Representative Puryear  
6 By: Senator J. Petty  
7

## For An Act To Be Entitled

8  
9 AN ACT TO AMEND THE LAW CONCERNING MUNICIPAL PLANNING  
10 AREAS; TO REQUIRE NOTICE AND COMPENSATION TO PROPERTY  
11 OWNERS; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14  
15 TO AMEND THE LAW CONCERNING MUNICIPAL  
16 PLANNING AREAS; AND TO REQUIRE NOTICE  
17 AND COMPENSATION TO PROPERTY OWNERS.  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 14-56-412(g), concerning powers and duties  
22 of a municipal planning commission, is amended to read as follows:

23 (g)(1) Referral to Bodies Responsible for Land Acquisition. After  
24 adoption and filing as provided of a community facilities plan or a master  
25 street plan, no parcel of land indicated by the plan which lies within the  
26 bounds of a proposed public use facility or mapped street shall be privately  
27 developed until the public board, commission, or body having jurisdiction or  
28 financial responsibility for the reserved area shall have refused in writing  
29 to execute a written option negotiated in good faith by the public board,  
30 commission, or body and the property owner or to file suit for condemnation  
31 to acquire the area.

32 (2)(A) This refusal Except as provided in subdivision (g)(2)(E)  
33 of this section, a written refusal to execute a written option or to file  
34 suit for condemnation to acquire the area under subdivision (g)(1) of this  
35 section shall be given by the public board, commission, or body within one  
36 (1) year ~~of~~ from the date the action is requested by the property owner.



1                    (B) This The restriction on private development under  
 2 subdivision (g)(1) of this section may be enforced for the specified ~~one (1)~~  
 3 ~~year~~ period by the refusal to issue building permits or by other methods.

4                    (C) However, it The restriction on private development  
 5 under subdivision (g)(1) of this section may be enforced only in cases ~~where~~  
 6 in which regulations governing the development and subdivision of land do not  
 7 apply.

8                    (D) If the public board, commission, or body does not  
 9 execute a written refusal, execute a written option, or file a suit for  
 10 condemnation within the time period prescribed in subdivision (g)(2)(A) of  
 11 this section:

12                                    (i) The parcel of land shall be released from  
 13 reservation; and

14                                    (ii)(a) The public board, commission, or body shall  
 15 pay the owner of the parcel of land reasonable compensation for the  
 16 diminished value of the parcel of land during the period prescribed in  
 17 subdivision (g)(2)(A) of this section.

18                                    (b) Reasonable compensation under subdivision  
 19 (g)(2)(D)(ii)(a) of this section shall be determined by the amount that the  
 20 value of the parcel of land diminished as a result of the delay in the  
 21 development of the parcel of land required by the reservation of the parcel  
 22 of land by the public board, commission, or body having jurisdiction.

23                    (E) For a community facilities plan or a master street  
 24 plan approved on or before the effective date of this act, written refusal to  
 25 execute a written option or to file suit for condemnation to acquire the area  
 26 under this subsection shall be given by the public board, commission, or body  
 27 within six (6) months from the effective date of this act.

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 29                    SECTION 2. Arkansas Code § 14-56-422(1), concerning the procedure for  
 30 the adoption of plans, ordinances, and regulations by a municipal planning  
 31 commission, is amended to read as follows:

32                                    (1)(A) The planning commission shall hold a public hearing on  
 33 the plans, ordinances, and regulations proposed under this subchapter.

34                                    (B) Notice of public hearing shall be published in a  
 35 newspaper of general circulation in the city at least one (1) time fifteen  
 36 (15) days prior to the hearing.

