

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

A Bill

SENATE BILL 518

5 By: Senator Hester
6 By: Representative Gonzales
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE AUTHORIZATION
10 OF A LOCAL GOVERNMENT TO REGULATE DEVELOPMENT AND USE
11 OF LAND IN A FLOOD-PRONE AREA; TO PROHIBIT A LOCAL
12 GOVERNMENT FROM ENACTING REGULATIONS IN A FLOOD-PRONE
13 AREA THAT ARE MORE RESTRICTIVE THAN THE REQUIREMENTS
14 OF THE NATIONAL FLOOD INSURANCE PROGRAM WITHOUT
15 COMPENSATION FOR DIMINUTION IN VALUE OF THE AREA; AND
16 FOR OTHER PURPOSES.
17
18

Subtitle

19 TO PROHIBIT A LOCAL GOVERNMENT FROM
20 ENACTING REGULATIONS IN A FLOOD-PRONE
21 AREA THAT ARE MORE RESTRICTIVE THAN THE
22 REQUIREMENTS OF THE NATIONAL FLOOD
23 INSURANCE PROGRAM IN CERTAIN INSTANCES.
24
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code § 14-268-104 is amended to read as follows:
29 14-268-104. Authority to adopt measures.

30 (a) In addition to all other powers, and notwithstanding any provision
31 of any other law, except as provided in subsection (c) of this section, each
32 city, town, or county in this state is authorized to enact, adopt, and
33 enforce ordinances, building or zoning codes, or other appropriate measures
34 regulating, restricting, or controlling the management and use of land,
35 structures, and other developments in flood-prone areas.

36 (b) The measures, in addition to all other matters, may:



1 (1) Restrict the development and use of land which is exposed to
2 flood damage;

3 (2) To the extent possible, guide the development of proposed
4 construction away from locations threatened by flood hazards;

5 (3) Prescribe assistance in reducing flood damage;

6 (4) Require flood-proofing of structures which are permitted to
7 remain in, or are to be constructed in, flood-prone areas;

8 (5) Prescribe regulation of the types, purposes, and uses of
9 structures, buildings, developments, or fills permitted to be erected or
10 improved in flood-prone areas;

11 (6) Require drainage and such other action as is feasible to
12 minimize flooding; and

13 (7) Assure the adequacy of sewerage and water systems that may
14 be affected by flooding.

15 (c) A city, town, or county shall not adopt an ordinance, building or
16 zoning code, or other measure to regulate, restrict, or control the
17 management and use of land, structures, or other developments in an area
18 designated by the Federal Emergency Management Agency as a special flood
19 hazard area that is more restrictive than the specific guidelines by flood
20 zone under the National Flood Insurance Program, 42 U.S.C. § 4011 et seq., as
21 it existed on January 1, 2025, without compensation for diminution in value
22 of the special flood hazard area.

23
24
25
26
27
28
29
30
31
32
33
34
35
36