

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

As Engrossed: S2/10/25

A Bill

SENATE BILL 87

5 By: Senator M. Johnson
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For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING COUNTY PLANNING;
10 TO CREATE A PENALTY FOR VIOLATING A SUBDIVISION
11 ORDINANCE; TO AMEND THE LAW CONCERNING THE MEMBERSHIP
12 OF A COUNTY PLANNING BOARD IN CERTAIN INSTANCES; AND
13 FOR OTHER PURPOSES.
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Subtitle

16 TO AMEND THE LAW CONCERNING COUNTY
17 PLANNING; TO CREATE A PENALTY FOR
18 VIOLATING A SUBDIVISION ORDINANCE; AND
19 TO AMEND THE LAW CONCERNING THE
20 MEMBERSHIP OF A COUNTY PLANNING BOARD IN
21 CERTAIN INSTANCES.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 14-17-203(a), concerning members of a
27 county planning board, is amended to read as follows:

28 (a)(1) With the approval of the majority of the members of the county
29 quorum court, the county judge of any county may create a county planning
30 board.

31 (2) The Except as provided in subdivision (a)(4) of this
32 section, the county planning board shall consist of not less than five (5)
33 members nor more than twelve (12) members appointed by the judge and
34 confirmed by the court.

35 (3) At least one-third (1/3) of the members shall not hold any
36 other elective office or appointment, except membership on a municipal or



1 joint planning commission or a zoning board of adjustment.

2 (4) A county with a population of two hundred thousand (200,000)
3 or more according to the most recent federal decennial census that contains
4 eight (8) municipalities or less shall select members of the county planning
5 board in the following manner:

6 (A) Members shall be appointed by the county judge and
7 confirmed by a majority of the members of the county quorum court
8 representing the unincorporated areas of the county; and

9 (B) Each member of the county planning board shall reside
10 in an unincorporated area of the county.

11
12 SECTION 2. Arkansas Code § 14-17-207(f), concerning enforcement of
13 official plans and implementing ordinances, is amended to read as follows:

14 (f)(1)(A) The quorum court shall provide for the means of enforcing
15 the official plan or zoning, subdivision, setback, and entry control
16 ordinances, shall provide penalties for violations, and may seek appropriate
17 remedies for violations.

18 (B) A person who knowingly and flagrantly violates a
19 subdivision ordinance requiring plat approval by the county planning board
20 before a parcel of land can be sold is subject to a civil penalty of:

21 (i) Five hundred dollars (\$500) for a first
22 violation;

23 (ii) One thousand dollars (\$1,000) for a second
24 violation;

25 (iii) One thousand five hundred (\$1,500) for a third
26 violation; and

27 (iv) Two thousand dollars (\$2,000) for a fourth
28 violation or subsequent violation.

29 (2) Any individual aggrieved by a violation of any such plan or
30 ordinance may request an injunction against any individual or property owner
31 in violation or may mandamus any official to enforce the provisions of the
32 ordinance.

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34 /s/M. Johnson
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