

1 State of Arkansas
2 95th General Assembly
3 Fiscal Session, 2026

SR 20

4
5 By: Senator Dees
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8 **SENATE RESOLUTION**

9 TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION
10 BILL CONCERNING THE INDUSTRIAL DEVELOPMENT
11 AUTHORITIES EXPANSION ACT.
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13

14 **Subtitle**

15 TO AUTHORIZE THE INTRODUCTION OF A
16 NONAPPROPRIATION BILL CONCERNING THE
17 INDUSTRIAL DEVELOPMENT AUTHORITIES
18 EXPANSION ACT.
19

20 BE IT RESOLVED BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE
21 STATE OF ARKANSAS:
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23 THAT Senator Dees is authorized to introduce a bill which as introduced
24 will read substantially as follows:
25

26 "Title

27 AN ACT TO AMEND THE INDUSTRIAL DEVELOPMENT AUTHORITIES EXPANSION ACT; TO
28 AMEND THE MEMBERSHIP REQUIREMENTS FOR A BOARD OF AN INDUSTRIAL DEVELOPMENT
29 AUTHORITY; TO PROVIDE FOR THE REMOVAL OF A MEMBER OF A BOARD OF AN INDUSTRIAL
30 DEVELOPMENT AUTHORITY FOR GOOD CAUSE; TO REPEAL PROVISIONS CONCERNING THE
31 EXERCISE OF THE RIGHT OF EMINENT DOMAIN BY AN INDUSTRIAL DEVELOPMENT
32 AUTHORITY; TO CLARIFY THAT AN INDUSTRIAL DEVELOPMENT AUTHORITY IS SUBJECT TO
33 LOCAL ZONING AND PLANNING REGULATIONS AND PROCESSES; TO DECLARE AN EMERGENCY;
34 AND FOR OTHER PURPOSES
35

36 Subtitle



1 TO AMEND THE INDUSTRIAL DEVELOPMENT AUTHORITIES EXPANSION ACT; AND TO DECLARE
2 AN EMERGENCY.

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4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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6 SECTION 1. Arkansas Code § 14-189-105(f), concerning the members of
7 the board of directors of an industrial development authority under the
8 Industrial Development Authorities Expansion Act, is amended to read as
9 follows:

10 (f)(1) To be eligible for membership on the board of directors of the
11 industrial development authority, a person, at the time of his or her
12 appointment and qualification by filing the required oath, must be a
13 qualified elector of the municipality or of the county, as the case may be,
14 that he or she represents on the board of directors of the industrial
15 development authority.

16 (2) A member of the board of directors of an industrial
17 development authority who moves outside of the municipality or county that he
18 or she represents on the board of directors of the industrial development
19 authority shall resign his or her membership on the board of directors of the
20 industrial development authority.

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22 SECTION 2. Arkansas Code § 14-189-105, concerning the members of the
23 board of directors of an industrial development authority under the
24 Industrial Development Authorities Expansion Act, is amended to add an
25 additional subsection to read as follows:

26 (h)(1) A member of the board of directors of an industrial development
27 authority may be removed for good cause by a vote of two-thirds (2/3) of the
28 governing body of each petitioning local government.

29 (2) As used in this subsection, "good cause" means the same as
30 defined in § 25-16-804.

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32 SECTION 3. Arkansas Code § 14-189-108 is amended to read as follows:

33 14-189-108. Powers and duties of industrial development authority
34 generally.

35 (a) In order to enable an industrial development authority to carry
36 out the purposes of this chapter, the industrial development authority shall:

1 (1) Have the powers of a body corporate including the power to
2 sue and be sued, to make contracts, and to adopt and use a seal;

3 (2) Have the power to rent, acquire, improve, develop, operate,
4 maintain, lease, buy, own, mortgage, otherwise encumber, sell, dispose of,
5 and otherwise deal with such real, personal, or mixed property as an
6 industrial development authority may deem proper, necessary, or desirable to
7 carry out the purposes of this chapter;

8 (3) Have the power to acquire, purchase, install, lease, rent,
9 own, hold, use, control, develop, sell, improve, construct, maintain, equip
10 and operate, and otherwise deal with and dispose of any:

11 (A) Commerce and industrial parks;

12 (B) Research, technology, and development proving grounds
13 and facilities;

14 (C) Job training facilities, air cargo operations, depots
15 for military use, rail lines, rail transload operations, and short-line
16 railroads; and

17 (D) All other qualifying economic development projects
18 under § 14-174-105;

19 (4) Have the power consistent with this chapter to acquire, own,
20 construct, reconstruct, extend, equip, improve, operate, maintain, sell,
21 lease, lease with or without options to purchase, lease with or without
22 options to extend or renew, contract concerning, or otherwise deal in, with,
23 or dispose of any lands, buildings, improvements, machinery, equipment, or
24 facilities of any and every nature for the securing and developing of
25 industry and commerce and parks for industrial and commercial operations;

26 (5) Have the power to appoint and employ and dismiss at pleasure
27 such agents and employees as may be selected by an industrial development
28 authority and to fix and pay their compensation;

29 (6) Have the power to establish an office for the transaction of
30 business at such place as, in the opinion of an industrial development
31 authority, shall be advisable or necessary in carrying out the purposes of
32 this chapter;

33 (7) Have the power to create and operate such agencies,
34 departments, and instrumentalities as an industrial development authority may
35 deem necessary, desirable, or useful for the accomplishment and furtherance
36 of any of the purposes of this chapter;

1 (8) Have the power to pay and expend funds for all necessary
2 costs and expenses involved in and incident to the formation and organization
3 of an industrial development authority and the carrying out of the powers and
4 purposes of this chapter;

5 (9) Have the power to adopt, alter, or repeal from time to time
6 its own bylaws, rules, and regulations consistent with this chapter governing
7 the manner in which the business of an industrial development authority may
8 be transacted and in which the purposes and powers may be transacted and in
9 which the purposes and powers of an industrial development authority may be
10 accomplished and carried out;

11 (10) Have the power to fix and change, from time to time, rates
12 and charges for the use of the facilities and services of an industrial
13 development authority;

14 (11) Have the power to promulgate and to alter or repeal, from
15 time to time, rules and regulations consistent with this chapter and to
16 enforce the same governing and pertaining to the use of the facilities and
17 services of an industrial development authority;

18 (12) Have the power to sell, contract concerning, or lease any
19 of its warehouses, industrial or commercial plants and facilities, and other
20 improvements and facilities of whatever nature and to permit the use of any
21 such facilities by any person engaging in any industrial or commercial
22 activity;

23 (13) Have the power to do any and all other acts and things of
24 whatever nature consistent with this chapter necessary or incidental to the
25 carrying out of the powers specified in this section and the accomplishment
26 of the purposes of this chapter, whether or not specifically enumerated; and

27 (14) Be authorized to carry out the powers of an industrial
28 development authority and to accomplish the purposes of this chapter.

29 (b) An industrial development authority is subject to local planning
30 and zoning regulations and shall participate in local planning and zoning
31 processes of the governing body of each local government in which the
32 industrial development authority operates.

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34 SECTION 4. Arkansas Code § 14-189-110 is amended to read as follows:
35 14-189-110. Acquisition of property, including rights-of-way.

36 (a) For the acquiring of property, including rights-of-way, necessary

1 or desirable for the carrying out of the powers of an industrial development
 2 authority and for the accomplishment of the purposes of this chapter, an
 3 industrial development authority may acquire property by gift, by purchase,
 4 or by negotiation, ~~or by condemnation.~~

5 ~~(b) If an industrial development authority determines to exercise the~~
 6 ~~right of eminent domain, the right of eminent domain may be exercised in the~~
 7 ~~manner provided for taking private property for railroads as provided by §§~~
 8 ~~18 15 1202 — 18 15 1207, in the manner provided by §§ 18 15 301 — 18 15 307,~~
 9 ~~or in the manner provided by any other statutes enacted for the exercise of~~
 10 ~~the power of eminent domain by the state, or by any officers, departments,~~
 11 ~~agencies, or political subdivisions of the state.~~

12 ~~(e)~~ An industrial development authority may exchange any property
 13 acquired under this chapter for other property necessary or desirable in
 14 carrying out of the powers of an industrial development authority.

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 16 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the
 17 General Assembly of the State of Arkansas that local governments are
 18 currently in the process of forming industrial development authorities; that
 19 the amendments to the law provided in this act are essential to the effective
 20 operation of industrial development authorities in the state; and that this
 21 act is immediately necessary to ensure that the industrial development
 22 authorities currently being formed are operated in the most efficient manner
 23 from the time they are established. Therefore, an emergency is declared to
 24 exist, and this act being immediately necessary for the preservation of the
 25 public peace, health, and safety shall become effective on:

26 (1) The date of its approval by the Governor;

27 (2) If the bill is neither approved nor vetoed by the Governor,
 28 the expiration of the period of time during which the Governor may veto the
 29 bill; or

30 (3) If the bill is vetoed by the Governor and the veto is
 31 overridden, the date the last house overrides the veto."

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