

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: H4/9/13*

# A Bill

HOUSE BILL 1741

5 By: Representative Westerman  
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## For An Act To Be Entitled

8 AN ACT TO ALLOW UNINCORPORATED AREAS OF THE COUNTY TO  
9 BE FREE FROM REGULATIONS OF CITIES ON ROAD STANDARDS  
10 AND PLANNING ORDINANCES; AND FOR OTHER PURPOSES.  
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## Subtitle

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14 TO ALLOW FOR REDUCTION OF REGULATION BY  
15 CITIES IN UNINCORPORATED AREAS OF  
16 COUNTIES.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 14-17-203(f), concerning the creation and  
22 organization of county planning boards, is amended to read as follows:

23 (f)(1) County quorum courts may elect to assume the powers, duties,  
24 and functions of the board.

25 (2) Such determination shall be implemented by ordinance.

26 (3) A court ~~which~~ that elects to exercise this option shall not  
27 be bound by ~~the provisions of~~ this section and § 14-17-204, but may, by  
28 ordinance, establish ~~such~~ administrative changes as may be appropriate.

29 (4)(A) This subchapter does not prohibit the quorum court from  
30 establishing by ordinance county road standards for the unincorporated areas  
31 of the county.

32 (B) As used in this subsection, "road standards" means the  
33 design, materials, and construction criteria for public roadways other than  
34 state or federal highways or interstates in the unincorporated area of a  
35 county.  
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1 SECTION 2. Arkansas Code § 14-17-206, concerning the purpose and  
2 content of a county plan by a county planning board, is amended to add an  
3 additional subsection to read as follows:

4 (e) If provided by county ordinance, ordinances establishing road  
5 standards, subdivision by the county may be exclusive and supersede and  
6 render null and void the respective city ordinances concerning road standards  
7 as defined under § 14-17-203(f) in the unincorporated areas of the county.

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9 SECTION 3. Arkansas Code § 14-56-414, concerning the preparation of  
10 municipal plans, is amended to add an additional subsection to read as  
11 follows:

12 (f) If a county has provided by ordinance road standards to be  
13 exclusive in the unincorporated areas of the county, the county road  
14 standards as defined under § 14-17-203(f) shall supersede and render null and  
15 void the respective municipal ordinances in the unincorporated areas of the  
16 county.

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19 /s/Westerman  
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