

Stricken language would be deleted from and underlined language would be added to present law.

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

As Engrossed: H1/28/25

A Bill

HOUSE BILL 1149

5 By: Representative Vaught
6 By: Senator B. Davis
7

For An Act To Be Entitled

9 AN ACT CONCERNING VEGETABLE GARDEN PROTECTION; AND
10 FOR OTHER PURPOSES.
11

Subtitle

12 CONCERNING VEGETABLE GARDEN PROTECTION.
13

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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16 SECTION 1. Arkansas Code Title 2, Chapter 1, Subchapter 1, is amended
17 to add an additional section to read as follows:

18 2-1-103. Vegetable garden protection – Definition.

19 (a) As used in this section, "vegetable garden" means a plot of ground
20 or an elevated soil bed on residential property where vegetables, herbs,
21 fruits, flowers, pollinator plants, leafy greens, or other edible plants are
22 cultivated.
23

24 (b) The General Assembly intends to encourage and protect the
25 development of sustainable cultivation of vegetables and fruits at all levels
26 of production, including without limitation on residential property for
27 personal consumption or noncommercial sharing, as an important interest of
28 the state.
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30 (c) A person may cultivate a vegetable garden for personal consumption
31 or noncommercial sharing on his or her own private property or on the private
32 property of another person with the permission of the owner in any county,
33 municipality, or other political subdivision of this state.
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35 (d)(1)(A) Except as otherwise provided by law, a county, municipality,
36 or other political subdivision of this state may not regulate vegetable
gardens on residential properties.



1 (B) A local ordinance or regulation regulating vegetable
2 gardens on residential properties is void and unenforceable.

3 (2) Subdivision (d)(1) of this section does not prohibit the
4 adoption of a local ordinance or regulation of a general nature that does not
5 specifically regulate vegetable gardens or have the effect of precluding
6 vegetable gardens, including without limitation regulations and ordinances
7 relating to water use during drought conditions, fertilizer use, or control
8 of invasive species.

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10 */s/Vaught*
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