

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

A Bill

HOUSE BILL 1762

5 By: Representatives Hall, Puryear, Gramlich, J. Richardson, Rose, Crawford
6 By: Senator J. Petty
7

For An Act To Be Entitled

8
9 AN ACT TO REQUIRE REVOCATION OF A PERMIT FOR THE
10 DISPOSAL OF POULTRY PROCESSING PLANT WASTE IN AN
11 AGRICULTURAL OR PASTORAL APPLICATION FOR A CERTAIN
12 NUMBER OF VIOLATIONS; AND FOR OTHER PURPOSES.
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Subtitle

15
16 TO REQUIRE REVOCATION OF A PERMIT FOR
17 THE DISPOSAL OF POULTRY PROCESSING PLANT
18 WASTE IN AN AGRICULTURAL OR PASTORAL
19 APPLICATION FOR A CERTAIN NUMBER OF
20 VIOLATIONS.
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 8-6-204(c), concerning criminal, civil, and
25 administrative penalties under the Arkansas Solid Waste Management Act, is
26 amended to read as follows:

27 (c)(1)(A) Any person who violates any provision of this subchapter and
28 rules, permits, or plans issued pursuant to this subchapter may be assessed
29 an administrative civil penalty not to exceed ten thousand dollars (\$10,000)
30 per violation.

31 (B)(i) If a person who is permitted to dispose of poultry
32 processing plant waste in an agricultural or pastoral application violates
33 this subchapter and rules, permits, or plans issued under this subchapter
34 three (3) times within a period of forty-five (45) days, the division shall
35 revoke the permit.

36 (ii) If the person described under subdivision



1 (c)(1)(B)(i) of this section wishes to regain a permit revoked under
2 subdivision (c)(1)(B)(i) of this section, the division shall hold a public
3 hearing to allow the public within a five-mile radius of the disposal site to
4 comment and raise concerns.

5 (2) Each day of a continuing violation may be deemed a separate
6 violation for purposes of civil penalty assessment.

7 (3) No civil penalty may be assessed until the person charged
8 with the violation has been given the opportunity for a hearing in accordance
9 with rules adopted by the commission.

10 (4) All hearings and appeals arising under this subchapter shall
11 be conducted in accordance with the procedures prescribed by §§ 8-4-205, 8-4-
12 212, and §§ 8-4-218 – 8-4-229.

13 (5) These administrative procedures may also be used to recover
14 all costs, expenses, and damages to the division and any other agency or
15 subdivision of the state in enforcing or effectuating the provisions of this
16 subchapter, including natural resource damages.

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