

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

A Bill

HOUSE BILL 1741

5 By: Representative Wooldridge
6 By: Senator D. Wallace
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE ARKANSAS AGRICULTURAL LIMING
10 MATERIALS ACT; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO AMEND THE ARKANSAS AGRICULTURAL
14 LIMING MATERIALS ACT.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code §§ 2-19-304 through 2-19-307 are amended to
20 read as follows:

21 2-19-304. Sampling and analysis.

22 (a) The ~~State Plant Board~~ Department of Agriculture through its
23 authorized agents is authorized to select from any package, bulk load, or lot
24 of liming material exposed for sale or distribution in this state a quantity
25 not less than two pounds (2 lbs.) for a sample, to be used for the purpose of
26 an official analysis for comparison with the statement required by § 2-19-303
27 or the rules provided for therein.

28 (b) The ~~board~~ department and its authorized agents shall have free
29 access during reasonable business hours to all premises where liming
30 materials are manufactured, sold, or stored, and vehicles wherein
31 distributed, and are authorized at all times to stop-sale by written order
32 any and all liming materials that are unregistered, misbranded, fail to meet
33 the guarantee, or otherwise fail to comply with the provisions of this
34 subchapter.
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36 2-19-305. Penalty for deficiency from guaranteed analysis.



1 (a) If any liming material offered for sale in this state shall, upon
 2 official analysis, prove deficient from its statement of guarantee to the
 3 extent of five percent (5%) or more, then the manufacturer, importer, or
 4 guarantor of the liming material shall be liable for two (2) times the value
 5 of the actual deficiency as shown by the official analysis.

6 (b)(1) Penalties assessed under this section, except those exceeding
 7 the actual value of the shortages found, shall be paid to the consumer of the
 8 lot of deficient liming material within thirty (30) days after the date of
 9 notice from the ~~State Plant Board~~ Department of Agriculture to the
 10 manufacturer, importer, or guarantor, receipts to be taken and promptly
 11 forwarded to the ~~board~~ department.

12 (2) The value of the deficiencies exceeding the actual shortages
 13 and the actual value of the shortages when the consumer cannot be found shall
 14 be paid to the ~~board~~ department within forty-five (45) days after the date of
 15 notice from the ~~board~~ department to the manufacturer, importer, or guarantor
 16 and shall be deposited into the Plant Board Fund of the State Treasury.

17 (c) The ~~board~~ State Plant Board is authorized to cancel the present
 18 registration or to refuse to register for the next season any liming
 19 materials offered for sale or distribution by any manufacturer, importer, or
 20 guarantor who fails or refuses to comply with this section.

21
 22 2-19-306. Registration.

23 (a) Before any liming material is sold or offered for sale or
 24 distribution in this state, the manufacturer, importer, or other guarantor,
 25 which is a person or firm that places or mixes liming materials of more than
 26 one (1) manufacturer in a stockpile, shall register each liming material with
 27 the ~~State Plant Board~~ Department of Agriculture.

28 (b)(1) The registration shall contain the statement referred to in §
 29 2-19-303 or the rules provided for therein.

30 (2) ~~and be accompanied by a fee~~ A sum of fifteen dollars
 31 (\$15.00) for each liming material shall be paid with the registration.

32 (c) Registrations shall expire June 30 of each year.

33
 34 2-19-307. Quarterly tonnage reports.

35 (a)(1)(A)(i) All manufacturers, importers, and other guarantors who
 36 are registered under § 2-19-306(a) shall forward to the ~~State Plant Board~~

1 Department of Agriculture each quarter a report on forms prescribed by the
 2 ~~State Plant Board~~ department, not later than thirty (30) days after the end
 3 of each quarter.

4 (ii) Quarters shall end September 30, December 31,
 5 March 31, and June 30 of each year.

6 (B)(i) The report shall include a sworn statement of the
 7 total tonnage of all liming materials distributed in this state.

8 (ii) ~~and shall be accompanied by the~~ The sum of
 9 thirty cents (30¢) per ton or fractional ton shall be paid.

10 (iii) Upon receipt of the report under subdivision
 11 (a)(1)(A)(i) of this section, the department shall invoice the responsible
 12 party for payment of the sum.

13 (2)(A) A fee sum of thirty cents (30¢) ~~will accompany~~ shall be
 14 paid for each quarterly report of tonnage which amounts to less than one (1)
 15 ton.

16 (B) Upon receipt of the report under subdivision (a)(2)(A)
 17 of this section, the department shall invoice the responsible party for
 18 payment.

19 (3)(A) When sales or distributions of liming materials are
 20 between registrants, the registrant who sells or distributes to a person or
 21 firm who is not a registrant shall be responsible for payment of the
 22 inspection ~~fee~~ unless the payment is made by the registrant initiating the
 23 transaction.

24 (B) Invoices of transactions between registrants shall be
 25 marked "inspection ~~fee~~ paid" or "inspection ~~fee~~ not paid"; otherwise, the
 26 registrant initiating the transaction shall be responsible for payment of the
 27 inspection ~~fee~~.

28 (C) The ~~State Plant Board~~ department shall issue receipts
 29 for the amounts received and shall deposit the sums received as follows:

30 (i) Twenty cents (20¢) of the thirty-cent ~~fee~~ sum
 31 per ton or fractional ton inspected shall be deposited with the Treasurer of
 32 State as special revenues. It shall be credited to the ~~State Plant Board~~
 33 Plant Board Fund to be used for its maintenance, operation, support, and
 34 improvement; and

35 (ii)(a) Ten cents (10¢) of the thirty-cent ~~fee~~ sum
 36 per ton or fractional ton inspected shall be remitted to the Board of

1 Trustees of the University of Arkansas. This amount shall be credited to a
2 fund to be known as the "University of Arkansas, Division of Agriculture,
3 Soil Testing and Research Fund" to be maintained in accounts in one (1) or
4 more financial institutions in the State of Arkansas. This amount shall be
5 expended exclusively for soil testing service and soil fertility research and
6 extension by the Board of Trustees of the University of Arkansas under
7 appropriations made by the General Assembly. It shall be expended in support
8 of one (1) or more soil testing laboratories and soil fertility research
9 activities at the main experiment stations, branch experiment stations, or
10 subbranch experiment stations, as determined and designated by the Vice
11 President for Agriculture of the University of Arkansas.

12 (b)(1) The Board of Trustees of the University
13 of Arkansas shall provide for the investment of any funds in the University
14 of Arkansas, Division of Agriculture, Soil Testing and Research Fund that are
15 not needed for current operations of the soil testing laboratories and soil
16 fertility service and research and extension activities and shall credit the
17 interest earned on the investment to the credit of the University of
18 Arkansas, Division of Agriculture, Soil Testing and Research Fund.

19 (2) The investment shall be of the type
20 and nature authorized for the investment of average daily State Treasury
21 balances by the State Board of Finance.

22 (b)(1) The ~~State Plant Board~~ department or its agents shall have the
23 right at any time to inspect or audit the books of any manufacturer and
24 manipulator or their agents to determine the correctness of the monthly
25 reports required under this section.

26 (2) Refusal to allow this inspection or audit shall be deemed a
27 violation of this subchapter, and the violator shall be subject to the
28 penalties provided in it.

29 (3) For a late report or for failure to report the entire amount
30 sold, the sum owed for tonnage ~~fee~~ on the late report or unreported amount
31 shall be doubled, and penalties shall be deposited into the Plant Board Fund;
32 otherwise, registrations may be cancelled by the State Plant Board.

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APPROVED: 4/10/25