

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H2/18/99

A Bill

HOUSE BILL 1440

5 By: Representatives Angel, Allison, Bevis, Broadway, Davis, French, Gillespie, Hathorn, G. Jeffress, Kidd, Lancaster,
6 Lendall, Milligan, Milum, Morris, Simmons, Simon, T. Smith, M. Steele, Teague, Weaver, White
7

For An Act To Be Entitled

9 "AN ACT TO ALLOW THE TAKING OF FERAL HOGS; TO AMEND
10 CERTAIN SECTIONS OF THE ARKANSAS CODE PERTAINING TO
11 LIVESTOCK RUNNING AT LARGE; AND FOR OTHER PURPOSES."
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Subtitle

13
14 "AN ACT TO ALLOW THE TAKING OF FERAL HOGS;
15 TO AMEND CERTAIN SECTIONS OF THE ARKANSAS
16 CODE PERTAINING TO LIVESTOCK RUNNING AT
17 LARGE; AND FOR OTHER PURPOSES."
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 2, Chapter 38, Subchapter 3 is amended by
23 adding the following section to be appropriately numbered by the Arkansas Code
24 Revision Commission:

25 "Hunting feral hogs.

26 (a) 'Feral hog' means any hogs (Sus Scrofa), including Russian and
27 European wild boar, which are roaming freely upon public lands or upon private
28 lands which are not enclosed by a fence sufficient under Chapter 39 of this
29 Title and without the landowner's permission.

30 (b) A stray domestic hog shall not be considered feral until five (5)
31 calendar days after escaping from domestic confinement. If notice is provided
32 to adjacent landowners within those five (5) calendar days, the hog will not
33 be considered feral for an additional ten (10) calendar days.

34 (c) For purposes of this section, feral hogs are deemed domestic
35 livestock.

36 (d) Notwithstanding any provision of this chapter, any person may take

1 and kill feral hogs except that:

2 (1) Feral hogs taken on public property during any established
3 hunting season must be taken with weapons and methods allowed for that hunting
4 season;

5 (2) Feral hogs may be taken on any land where the hunter has
6 legal access unless prohibited by the landowner; and

7 (3) No person whose hunting license is revoked may take or kill
8 feral hogs during the period of the revocation."

9 SECTION 2. Arkansas Code 2-39-110 is amended to read as follows:

10 "2-39-110. Liability for injuring animals.

11 If any person damaged for the want of a sufficient fence shall hurt,
12 wound, lame, or kill, or cause the same thing to be done by shooting, hunting
13 with dogs, or otherwise, any of the animals mentioned in this chapter, with
14 the exception of feral hogs, the person shall be liable to the owner of the
15 animal for double damages, with costs."

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17 SECTION 3. Arkansas Code Title 2, Chapter 39, is amended by adding the
18 following section to be appropriately numbered by the Arkansas Code Revision
19 Commission:

20 "Releasing hogs into the wild.

21 (a) Any person who willfully releases any hog to live in a wild or feral
22 state upon public land or upon private land, unless the landowner has
23 consented, is in violation of this section.

24 (b) Any person who violates this section is guilty of a misdemeanor and
25 upon conviction shall be subject to a fine not to exceed five hundred dollars
26 (\$500)."

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28 SECTION 4. Arkansas Code 5-62-122(c) is amended to read as follows:

29 "(c)(1) ~~Permitting~~ Except as provided in subdivision (c)(2), permitting
30 livestock to run at large is a violation.

31 (2) Any person who allows any hog to run at large is guilty of a
32 misdemeanor and upon conviction shall be subject to a fine not to exceed five
33 hundred dollars (\$500)."

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35 SECTION 5. Feral hogs shall be subject to animal health requirements
36 established by the Arkansas Livestock and Poultry Commission.

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SECTION 6. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 7. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 8. All laws and parts of laws in conflict with this act are hereby repealed.

/s/ Angel, et al