

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

A Bill

HOUSE BILL 1776

5 By: Representatives Lundstrum, Unger
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For An Act To Be Entitled

9 AN ACT TO AMEND THE CERTIFICATE OF NEED REQUIRED TO
10 OBTAIN A SOLID WASTE LANDFILL OR TRANSFER STATION
11 PERMIT OR AN EXPANSION OF A SOLID WASTE LANDFILL OR
12 TRANSFER STATION PERMIT; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE CERTIFICATE OF NEED
16 REQUIRED TO OBTAIN A SOLID WASTE
17 LANDFILL OR TRANSFER STATION PERMIT OR
18 AN EXPANSION OF A SOLID WASTE LANDFILL
19 OR TRANSFER STATION PERMIT.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 8-6-702, concerning definitions relating to
25 regional solid waste management districts and boards, is amended to add an
26 additional subdivision to read as follows:

27 (17) "Host community" means the closest governmental unit as
28 measured along major access roads and highways that exercises zoning
29 authority encompassed within a twelve-mile radius of the proposed, current,
30 or expanded site of the solid waste landfill.
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32 SECTION 2. Arkansas Code § 8-6-706(a), concerning permits for solid
33 waste landfill and transfer station permits, is amended to read as follows:

34 (a)(1) Before an application for a new permit or permit expansion is
35 submitted to the Division of Environmental Quality, an applicant for a solid
36 waste landfill permit or a transfer station permit shall obtain a certificate



1 of need from the regional solid waste management board that has jurisdiction
2 over the proposed site, with the exception of permits for landfills when a
3 private industry bears the expense of operating and maintaining the landfill
4 solely for the disposal of waste generated by the industry or wastes of a
5 similar kind or character under the Arkansas Solid Waste Management Act, § 8-
6 6-201 et seq.

7 (2) The division may deny any permit based upon the denial of a
8 certificate of need by any board.

9 (3) If, during the pendency of a permit application, more than
10 four (4) years passes from the date of issuance of the certificate of need,
11 then the applicant shall supplement the application with a current
12 certificate of need passed in the same manner as the certificate of need
13 submitted to the division with the initial application.

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15 SECTION 3. Arkansas Code § 8-6-706(b), concerning permits for solid
16 waste landfill and transfer station permits, is amended to add an additional
17 subdivision to read as follows:

18 (3)(A) The applicant's petition shall include a city council
19 resolution or quorum court minute order if a municipality is not the closest
20 governmental unit, regarding the host community's decision.

21 (B) The city council resolution or quorum court minute
22 order shall be voted on at a regularly scheduled meeting of the city council
23 or quorum court if a municipality is not the closest governmental unit and
24 signed by either the mayor of the city or the county judge if a municipality
25 is not the closest governmental unit.

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