

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

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S3/29/01

A Bill

Act 1753 of 2001
HOUSE BILL 2568

5 By: Representatives Hathorn, Wood
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For An Act To Be Entitled

9 AN ACT TO PROHIBIT THE DISCHARGE OF AGRICULTURAL
10 IRRIGATION WATERS ONTO INTERSTATE OR STATE
11 HIGHWAYS; TO PROVIDE PENALTIES; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14 AN ACT TO PROHIBIT THE DISCHARGE OF
15 AGRICULTURAL IRRIGATION WATERS ONTO
16 INTERSTATE OR STATE HIGHWAYS; TO PROVIDE
17 PENALTIES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. (a) It is unlawful for a person, sole proprietorship,
24 partnership, or corporation that engages in irrigation of any farm or
25 agricultural lands to intentionally permit or cause any center pivot
26 irrigation water to be discharged on the traveled portion of any interstate
27 or state highway.

28 (b) A first violation of this section shall cause a warning to be
29 issued.

30 (c) A second or subsequent offense shall be punishable by a fine of
31 not less than one hundred dollars (\$100) nor more than two hundred fifty
32 dollars (\$250).

33 (d) It is an affirmative defense to prosecution under this section
34 that the discharge of center pivot irrigation waters on an interstate or
35 state highway resulted from winds of such intensity that no mechanical device
36 that is intended to prevent spray from reaching the roadway could have

1 prevented the spraying or that the discharge resulted from excessive rainfall
2 which contributed to flooding of the roadway.

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/s/ Hathorn

APPROVED: 4/18/2001