

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H3/12/97

A Bill

ACT 1206 OF 1997
HOUSE BILL 1991

5 *By: Representatives Roberts and Flanagan*
6
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED TITLE 8, CHAPTER
10 6, AND ARKANSAS CODE ANNOTATED § 8-6-205(b) REGARDING THE
11 REBUTTABLE PRESUMPTION FOR ILLEGAL DUMPING; AND FOR OTHER
12 PURPOSES."
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Subtitle

14 "REGARDING THE REBUTTABLE PRESUMPTION
15 FOR ILLEGAL DUMPING."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 8-6-205(b) is hereby amended to read as
21 follows:

22 "(b) There is hereby created a rebuttable presumption that shall arise
23 in any administrative, civil, or criminal ~~actions~~ action under this
24 subchapter, to the effect that, if it can be proved that ~~two (2)~~ one (1) or
25 more items of solid waste bear the name or names of one (1) or more persons in
26 such a form as to indicate that the person or persons ~~are or~~ were the owners
27 of those items and those items were unlawfully disposed of, then the person or
28 persons are presumed to have committed the unlawful act of disposal."
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30 SECTION 2. All provisions of this act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.
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34 SECTION 3. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect
36 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 4. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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/s/Rep. Roberts, et al

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APPROVED:4-08-97

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