

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: H2/28/11

# A Bill

HOUSE BILL 1482

5 By: Representative Tyler  
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## For An Act To Be Entitled

8 AN ACT TO AMEND THE ARKANSAS OPEN-CUT LAND  
9 RECLAMATION ACT TO ALLOW FOR THE ASSESSMENT OF CIVIL  
10 PENALTIES BASED ON PECUNIARY GAIN; AND FOR OTHER  
11 PURPOSES.  
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### Subtitle

14 TO AMEND THE ARKANSAS OPEN-CUT LAND  
15 RECLAMATION ACT.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 15-57-305 is amended to add an additional  
22 subsection to read as follows:

23 (d) As an alternative to the limits on civil or administrative  
24 penalties under subsection (a) or subsection (b) of this section, if a person  
25 who is found liable in an action brought under subsection (a) or subsection  
26 (b) of this section has derived pecuniary gain from the commission of mining  
27 without a permit or mining outside of the area authorized in the permit, then  
28 the person may be ordered to pay a civil penalty equal to the amount of the  
29 pecuniary gain.  
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31 /s/Tyler  
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34 APPROVED: 03/23/2011  
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