

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S3/4/19

A Bill

HOUSE BILL 1512

5 By: Representative Hillman
6 By: Senators D. Wallace, B. Johnson
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS PLANT ACT OF 1917; TO
10 CLARIFY AN EGREGIOUS VIOLATION IN RELATION TO THE USE
11 OF CERTAIN *HERBICIDES*; TO *DECLARE AN EMERGENCY*; AND
12 FOR OTHER PURPOSES.
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Subtitle

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16 *TO AMEND THE ARKANSAS PLANT ACT OF 1917;*
17 *TO CLARIFY AN EGREGIOUS VIOLATION IN*
18 *RELATION TO CERTAIN HERBICIDES; AND TO*
19 *DECLARE AN EMERGENCY.*
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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 § 2-16-203(b)(1)(A)(ii)(b), concerning
25 egregious violations from dicamba or an auxin-containing herbicide, is
26 amended to read as follows:

27 (b) A violation is egregious only if
28 ~~significant off target crop damage occurred as a result of the application of~~
29 the application of one (1) of the following herbicides is used intentionally
30 in violation of the federal label requirements or a state law or rule
31 regarding its application:

32 (1) ~~dicamba~~ Dicamba;
33 (2) ~~or an auxin-containing~~ An auxin-
34 containing herbicide; or

35 (3) ~~any~~ A new herbicide technology
36 released after August 1, 2017.



1 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
2 General Assembly of the State of Arkansas that delay in implementation of
3 this act would hinder the State Plant Board from enforcing egregious
4 violations during the 2019 growing season, which could have a detrimental
5 impact on the state's agricultural economy. Therefore, an emergency is
6 declared to exist, and this act being immediately necessary for the
7 preservation of the public peace, health, and safety shall become effective
8 on:

9 (1) The date of its approval by the Governor;

10 (2) If the bill is neither approved nor vetoed by the Governor,
11 the expiration of the period of time during which the Governor may veto the
12 bill; or

13 (3) If the bill is vetoed by the Governor and the veto is
14 overridden, the date the last house overrides the veto.

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17 /s/Hillman

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20 **APPROVED: 3/11/19**