

As Engrossed: 1/24/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A BILL ACT 149 OF 1991
HOUSE BILL 1198

4 **By: Representatives Hawkins and Bryan, O. Miller, and Hogue**

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For An Act To Be Entitled

8 "AN ACT TO MAKE IT UNLAWFUL FOR ANY PERSON TO WILFULLY
9 OBSTRUCT OR IMPEDE THE PARTICIPATION OF ANY PERSON IN THE
10 LAWFUL ACTIVITY OF SHOOTING, HUNTING, FISHING, OR
11 TRAPPING; TO PROVIDE CERTAIN EXCEPTIONS; TO PRESCRIBE
12 PENALTIES FOR VIOLATIONS OF THIS ACT; AND FOR OTHER
13 PURPOSES."

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15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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17 SECTION 1. It is unlawful for any person to wilfully obstruct or impede
18 the participation of any individual in the lawful activity of shooting,
19 hunting, fishing or trapping in this state. Provided, that nothing in this
20 act shall prohibit a landowner or lessee from exercising his or her lawful
21 right to prohibit hunting, fishing or trapping on his or her land, or from
22 exercising any other legal right.

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24 SECTION 2. Any person violating the provisions of this act shall be
25 guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a
26 fine of not less than one hundred dollars (\$100.00) nor more than five hundred
27 dollars (\$500.00), and imprisonment for not to exceed thirty (30) days or
28 both, and if such person holds an Arkansas hunting, fishing or trapping
29 license at the time of conviction, such license shall be revoked.

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31 SECTION 3. (a) A court of general jurisdiction may enjoin conduct
32 which would be in violation of Section 1 upon petition by a person affected or
33 who reasonably may be affected by such conduct, upon a showing that such
34 conduct is threatened or that it has occurred on a particular premises in the
35 past and that it is not unreasonable to expect that under similar
36 circumstances it will be repeated.

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(b) A court of general jurisdiction may award damages to any person adversely affected by a violation of Section 1, which may include an award for punitive damages. In addition to other items of special damage, measure of damages may include expenditures of the affected person for license and permit fees, travel, guides, special equipment and supplies, to the extent that such expenditures were rendered futile by prevention of taking of a wild animal or fish.

SECTION 4. This act shall not prevent any wildlife officer or other law enforcement officer from performing his or her duties.

SECTION 5. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 7. All laws and parts of laws in conflict with this act are hereby repealed.

/s/Bruce Hawkins, et al

APPROVED: 2-18-91