

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.

Act 678 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/22/07

A Bill

HOUSE BILL 2368

5 By: Representative Dickinson
6 By: Senator Luker
7

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9 **For An Act To Be Entitled**

10 AN ACT TO CREATE THE UNIFORM STATE FERTILIZER
11 PREEMPTION ACT; AND FOR OTHER PURPOSES.
12

13 **Subtitle**

14 AN ACT TO CREATE THE UNIFORM STATE
15 FERTILIZER PREEMPTION ACT.
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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 Title 2, Chapter 19, Subchapter 2 is amended*
21 *to add an additional section to read as follows:*

22 2-19-212. Local legislation preemption.

23 (a) As used in this section:

24 (2) "Local legislation" means any ordinance, motion, resolution,
25 amendment, regulation, or rule adopted by a political subdivision of this
26 state; and

27 (3) "Political subdivision" means any local governmental entity
28 including without limitation, any city, county, township, or municipal
29 corporation and any other body corporate and politic that is responsible for
30 government activities in a geographical area smaller than that of the state.

31 (b) No political subdivision shall:

32 (1) Regulate the registration, packaging, labeling, sale,
33 storage, distribution, use or application of fertilizers; or

34 (2) Adopt or continue in effect local legislation relating to
35 the registration, packaging, labeling sale, storage, distribution, use, or



1 application of fertilizers.

2 (c) Local legislation in violation of this section is void and
3 unenforceable.

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/s/ Dickinson

APPROVED: 3/29/2007