

**Hall of the House of Representatives**  
92nd General Assembly - Regular Session, 2019  
**Amendment Form**

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Subtitle of House Bill No. 1309

TO CREATE THE ARKANSAS NIGHTTIME ENVIRONMENT PROTECTION ACT.

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**Amendment No. 1 to House Bill 1309**

Amend House Bill No. 1309 as originally introduced:

Page 3, line 32, delete "performance and visibility;" and substitute "performance and visibility;

(7) "Governing body means an agency director, elected official, or a public body responsible for a fixture, including without limitation a municipality, board, the Arkansas Department of Transportation, and the State Highway Commission;"

AND

Page 3, line 33, delete "(7)" and substitute "(8)"

AND

Page 3, line 35, delete "(8)" and substitute "(9)"

AND

Page 3, line 36, delete "(9)" and substitute "(10)"

AND

Page 4, line 2, delete "(10)" and substitute "(11)"



AND

Page 4, line 5, delete "(11)" and substitute "(12)"

AND

Page 4, line 8, delete "(12)" and substitute "(13)"

AND

Page 4, line 10, delete "(13)" and substitute "(14)"

AND

Page 4, line 14, delete "(14)" and substitute "(15)"

AND

Page 4, line 17, delete "(15)" and substitute "(16)"

AND

Page 7, delete lines 17 through 28

AND

Page 7, line 29, delete "(g)" and substitute "(f)"

AND

Page 8, line 12, delete "jurisdiction;" and substitute "jurisdiction; and"

AND

Page 8, line 14, delete "state; and" and substitute "state."

AND

Page 8, delete lines 15 through 20

AND

Page 10, line 16, delete "(a)"

AND

Page 11, line 4, delete "and"

AND

Page 11, line 6 delete "4 U.S.C. §§ 4-10." and substitute "4 U.S.C. §§ 4-10;  
and

(vi) For lighting at a public or private state  
correction facility, a detention facility, or a mental health facility."

AND

Page 11, delete lines 11 through 14

AND

Page 11, line 15, delete "(7)(A)" and substitute "(6)(A)"

AND

Page 11, line 17, delete "(B)(i)(a)" and substitute "(B)"

AND

Page 11, line 18, delete "(a)(7)(A)" and substitute "(7)(A)"

AND

Page 11, delete lines 21 through 36 and substitute the following:

"prevent compliance; and

(7)(A) The governing body responsible for the fixtures has:

(i) Determined that compliance with this chapter would impose an excessive cost on the governing body; and

(ii) Adopted an ordinance or resolution that shows the excessive cost of installing conforming fixtures.

(B) The ordinance or resolution shall include a:

(i) Specific list of the fixtures exempted; and

(ii) Cost analysis of installing conforming fixtures versus non-conforming fixtures that supports the governing body's conclusion that the cost of installing conforming fixtures is excessive."

AND

Page 12, delete lines 1 through 24

The Amendment was read \_\_\_\_\_

By: Representative S. Meeks  
CRH/CRH - 02-14-2019 14:17:56  
CRH064

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Chief Clerk