

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 422

5 By: Senator B. Ballinger
6 By: Representative Gazaway
7

For An Act To Be Entitled

9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 2 OF
10 THE ARKANSAS CODE CONCERNING AGRICULTURE; AND FOR
11 OTHER PURPOSES.
12
13

Subtitle

14 TO MAKE TECHNICAL CORRECTIONS TO TITLE 2
15 OF THE ARKANSAS CODE CONCERNING
16 AGRICULTURE.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 2-1-302(6), concerning the definition of
23 "livestock", is amended to clarify a term to read as follows:

24 (6) "Livestock" means swine, ~~bovines~~ bovine, sheep, and ~~goats~~
25 goat;
26

27 SECTION 2. Arkansas Code § 2-1-302(14), concerning the definition of
28 "poultry", is amended to clarify a term to read as follows:

29 (14) "Poultry" means ~~a domestic birds~~ domesticated bird that ~~are~~
30 is edible by humans; and
31

32 SECTION 3. Arkansas Code § 2-19-202(a)(5)(B), concerning the
33 guaranteed analysis by net weight of a registered fertilizer brand specialty
34 fertilizer, is amended to clarify language to read as follows:

35 (B) Except for specialty fertilizers as ~~defined~~ described
36 in subdivision (d)(2) of this section, no guaranteed analysis of complete



1 fertilizer shall be allowed indicating fractional units of primary plant
2 food.

3
4 SECTION 4. Arkansas Code § 2-19-202(d)(2), concerning the exemption
5 for a specialty fertilizer from a minimum requirement of primary plant food,
6 is amended to clarify language by adding and repealing language to read as
7 follows:

8 (2)(A) ~~A “specialty fertilizer” is any fertilizer distributed~~
9 ~~primarily for nonfarm use, such as for home gardens, lawns, shrubs, flowers,~~
10 ~~golf courses, municipal parks, cemeteries, greenhouses, and nurseries.~~

11 - (B) ~~“Specialty fertilizer” includes a fertilizer used for~~
12 ~~research or experimental purposes~~ A specialty fertilizer is fertilizer
13 distributed for:

14 (A) Primarily nonfarm uses, such as for:

15 (i) Home gardens, lawns, shrubs, and flowers;

16 (ii) Golf courses;

17 (iii) Municipal parks;

18 (iv) Cemeteries;

19 (v) Greenhouses; and

20 (vi) Nurseries; or

21 (B) Research or experimental purposes.

22
23 SECTION 5. Arkansas Code § 2-34-210(c), concerning the provision of
24 copies of the State Brand Book, is amended to correct grammar to read as
25 follows:

26 (c) The county clerk and the sheriff of each county shall receive
27 copies of ~~all State Brand Books and supplements~~ the State Brand Book and all
28 supplements to the State Brand Book without cost to their ~~respective~~ county.

29
30 SECTION 6. Arkansas Code § 2-38-501 is amended to reorganize the
31 section to read as follows:

32 2-38-501. Definition.

33 As used in this subchapter:

34 (1)(A) ~~“Feral hog”~~ means an animal or hybrid animal of either the
35 family Suidae, including without limitation a wild hog, Russian or European
36 wild boar, and Old World swine, or the family Tayassuidae, including without

1 limitation peccary, javelina, and New World swine, that is or has been
2 roaming freely upon public land or private land.

3 ~~(2)(B)~~ "Feral hog" does not include:

4 ~~(i)(A)~~ A stray domestic hog that has escaped from
5 domestic confinement for less than:

6 ~~(a)(i)~~ Five (5) calendar days; or

7 ~~(b)(ii)~~ Fifteen (15) calendar days if the
8 owner of the stray domestic hog provides notice of the escape to all adjacent
9 landowners within the first five (5) calendar days of the escape;

10 ~~(ii)(B)~~ A hog held by a zoo accredited by the
11 Association of Zoos and Aquariums or by the designated caretakers of the
12 University of Arkansas mascot; or

13 ~~(iii)(C)~~ A hog held while being transported to a
14 livestock market or for slaughter and having a premises identification tag or
15 other official eartag; ~~and~~

16 ~~(2) A "feral hog" is deemed to be a public nuisance.~~

17
18 SECTION 7. Arkansas Code § 2-38-504(h)(1), concerning releasing hogs
19 into the wild, is amended to clarify language to read as follows:

20 (h)(1) Fines collected under this section shall be deposited into the
21 Feral Hog Eradication Fund ~~that is~~ and is designated as special revenues for
22 the Arkansas Natural Resources Commission.

23
24 SECTION 8. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

25 It is the intent of the General Assembly that:

26 (1) The enactment and adoption of this act shall not expressly
27 or impliedly repeal an act passed during the regular session of the Ninety-
28 Third General Assembly;

29 (2) To the extent that a conflict exists between an act of the
30 regular session of the Ninety-Third General Assembly and this act:

31 (A) The act of the regular session of the Ninety-Third
32 General Assembly shall be treated as a subsequent act passed by the General
33 Assembly for the purposes of:

34 (i) Giving the act of the regular session of the
35 Ninety-Third General Assembly its full force and effect; and

36 (ii) Amending or repealing the appropriate parts of

1 the Arkansas Code of 1987; and

2 (B) Section 1-2-107 shall not apply; and

3 (3) This act shall make only technical, not substantive, changes
4 to the Arkansas Code of 1987.

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