

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.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

As Engrossed: H3/22/01 S4/3/01

## A Bill

Act 1686 of 2001  
HOUSE BILL 2511

5 By: Representative Judy  
6  
7

### For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 8-6-508 CONCERNING  
10 ENFORCEMENT OF SOLID WASTE MANAGEMENT LAWS; AND  
11 FOR OTHER PURPOSES.  
12

### Subtitle

14 AN ACT CONCERNING ENFORCEMENT OF SOLID  
15 WASTE MANAGEMENT LAWS.  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code 8-6-508 is amended to read as follows:

21 8-6-508. Enforcement generally.

22 (a)(1) Illegal dumps control officers are hereby empowered to ensure  
23 compliance with the provisions herein by having the right and duty to:

24 (A) Inspect suspected illegal dumps;

25 (B) Collect evidence of open dumping and present same to  
26 the prosecuting attorney or a court of competent jurisdiction where the  
27 offense was committed; and

28 (C) *Issue and serve citations for violations of ~~any state~~*  
29 *~~law prohibiting the illegal dumping of solid waste with said authority~~*  
30 *~~limited to violations of illegal dumping not occurring on an individual's own~~*  
31 *~~property provisions of the Arkansas Solid Waste Management Act prohibiting~~*  
32 *~~illegal dumping, subject to exemptions under § 8-6-205 and the agricultural~~*  
33 *~~exemptions under § 8-6-509.~~*

34 (2) Citations issued by illegal dumps control officers shall be  
35 filed in any court having jurisdiction in the county where the offense is  
36 committed.

1 (3) Citations may be served in person or by mailing a copy of  
2 the same by certified mail, restricted delivery, to either the address  
3 obtained from evidence collected from the illegal dump or to the person's  
4 last known address. Persons receiving citations shall appear before the court  
5 named within the citation at the time designation therein.

6 (4) Courts having jurisdiction over citations issued by illegal  
7 dumps control officers may issue penalties as specified in § 8-6-204(a).

8 (b) All illegal dumps control officers shall be licensed and certified  
9 in accordance with § 8-6-901 et seq.

10 (c) Illegal dumps control officers shall not have powers of arrest.

11 /s/ Judy  
12  
13  
14

APPROVED: 4/16/2001  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36