

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1744

5 By: Representative Wardlaw
6 By: Senator Hill
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW REGARDING SOLID WASTE; TO
10 AMEND THE LAW REGARDING THE LANDFILL POST-CLOSURE
11 TRUST FUND; TO REQUIRE REIMBURSEMENT TO THE FUND; TO
12 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

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16 TO AMEND THE LAW REGARDING SOLID WASTE;
17 TO AMEND THE LAW REGARDING THE LANDFILL
18 POST-CLOSURE TRUST FUND; TO REQUIRE
19 REIMBURSEMENT TO THE FUND; TO DECLARE AN
20 EMERGENCY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code Title 8, Chapter 6, Subchapter 10, is amended
26 to add an additional section to read as follows:

27 8-6-1006. Moneys used for landfill remediation or closure.

28 A landfill of any class that receives moneys from the Division of
29 Environmental Quality from the Landfill Post-Closure Trust Fund for
30 remediation or closure shall remain closed and unavailable to receive solid
31 waste until the following conditions are met:

32 (1) Full reimbursement to the fund of moneys received by the
33 landfill for remediation or closure;

34 (2) Approval for a new certificate of need for the landfill from
35 the regional solid waste management board; and

36 (3) At least one (1) public hearing for public input concerning



1 the opening of the landfill held by the regional solid waste management
2 district.

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4 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
5 General Assembly of the State of Arkansas that improperly managed solid waste
6 at landfills poses a danger to the citizens of this state; that it is
7 imperative that the Landfill Post-Closure Trust Fund remain at an adequate
8 level to sufficiently address issues related to solid waste at landfills that
9 pose a hazard to public health and endanger the environment; and that this
10 act is immediately necessary because full reimbursement of the fund should
11 occur and safeguards put in place for landfills that have previously posed
12 environmental risks and needed state funding for corrective action in order
13 to protect the health and wellbeing of citizens. Therefore, an emergency is
14 declared to exist, and this act being immediately necessary for the
15 preservation of the public peace, health, and safety shall become effective
16 on:

17 (1) The date of its approval by the Governor;

18 (2) If the bill is neither approved nor vetoed by the Governor,
19 the expiration of the period of time during which the Governor may veto the
20 bill; or

21 (3) If the bill is vetoed by the Governor and the veto is
22 overridden, the date the last house overrides the veto.

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25 **APPROVED: 4/13/23**
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