

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Fitch

A Bill

SENATE BILL 117

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 2-16-203 TO AUTHORIZE THE
9 STATE PLANT BOARD TO ASSESS CIVIL PENALTIES; AND FOR OTHER
10 PURPOSES."

Subtitle

13 "TO AMEND ARKANSAS CODE 2-16-203 TO
14 AUTHORIZE THE STATE PLANT BOARD TO
15 ASSESS CIVIL PENALTIES."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. Arkansas Code 2-16-203 is amended to read as follows:

20 "2-16-203. Penalty.

21 (a) Fines. Any person who shall violate any provisions or
22 requirements of this subchapter, or the rules and regulations made, or of any
23 notice given pursuant thereto, or who shall forge, counterfeit, deface,
24 destroy, or wrongfully use any certificate provided for in this subchapter,
25 or in the rules and regulations made pursuant thereto, shall be deemed guilty
26 of a misdemeanor, and upon conviction he shall be punished by a fine of not
27 more than one hundred dollars (\$100).

28 (b) Civil penalties.

29 (1) The Plant Board may, in a lawful proceeding respecting
30 licensing, as defined in the Arkansas Administrative Procedures Act A.C.A.
31 25-15-201 et seq., in addition to or in lieu of any other lawful disciplinary
32 action, assess a civil penalty of not more than one thousand dollars (\$1,000)
33 for each violation of any statute, rule or order enforceable by the Plant
34 Board. In no case shall a single application or drift incident by a
35 pesticide applicator be considered multiple violations based on the number of

