

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.

State of Arkansas  
87th General Assembly  
Regular Session, 2009

# A Bill

HOUSE BILL 2024

By: Representative Davenport

## For An Act To Be Entitled

AN ACT TO REQUIRE THE ARKANSAS DEPARTMENT OF  
ENVIRONMENTAL QUALITY TO DEPOSIT PROCEEDS FROM  
CIVIL PENALTIES INTO THE STATE TREASURY AS  
GENERAL REVENUES; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT TO REQUIRE THE ARKANSAS  
DEPARTMENT OF ENVIRONMENTAL QUALITY TO  
DEPOSIT PROCEEDS FROM CIVIL PENALTIES  
INTO THE STATE TREASURY AS GENERAL  
REVENUES.

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

SECTION 1. Arkansas Code Title 8, Chapter 1 is amended to add an additional section to read as follows:

8-1-108. Deposit of funds -- Settlement agreements -- Exception.

(a) Except for funds used for remedial programs or administrative costs, the Arkansas Department of Environmental Quality shall deposit all funds received as civil penalties into the State Treasury as general revenue.

(b) Unless ordered by the administrative hearing officer or the court, the department shall not seek or enter into an agreement to settle a complaint in an adjudicatory review or lawsuit that would direct the department to disburse portions of the settlement funds to nongovernmental entities.

(c) This section does not apply to the grant program created in § 8-6-609.

