

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H2/28/11

A Bill

HOUSE BILL 1482

5 By: Representative Tyler
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For An Act To Be Entitled

8 AN ACT TO AMEND THE ARKANSAS OPEN-CUT LAND
9 RECLAMATION ACT TO ALLOW FOR THE ASSESSMENT OF CIVIL
10 PENALTIES BASED ON PECUNIARY GAIN; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 TO AMEND THE ARKANSAS OPEN-CUT LAND
15 RECLAMATION ACT.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 15-57-305 is amended to add an additional
22 subsection to read as follows:

23 (d) As an alternative to the limits on civil or administrative
24 penalties under subsection (a) or subsection (b) of this section, if a person
25 who is found liable in an action brought under subsection (a) or subsection
26 (b) of this section has derived pecuniary gain from the commission of mining
27 without a permit or mining outside of the area authorized in the permit, then
28 the person may be ordered to pay a civil penalty equal to the amount of the
29 pecuniary gain.
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31 /s/Tyler
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