

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1869

5 By: Representative Lemons  
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## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING LOCATION AND  
9 APPROVAL OF CONTROLLED BURNS; AND FOR OTHER PURPOSES.

### Subtitle

10 TO AMEND THE LAW CONCERNING LOCATION AND  
11 APPROVAL OF CONTROLLED BURNS.  
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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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17 SECTION 1. Arkansas Code § 14-16-117 is amended to read as follows:  
18 14-16-117. Controlled burns.

19 A property owner in an unincorporated area of a county may conduct a  
20 controlled burn of a residence or structure on the property owner's property  
21 in the county if:

22 (1) The property owner applies to the ~~quorum-court~~ county judge  
23 of that county and the fire department that is responsible for providing fire  
24 protection services for the property for approval to conduct the controlled  
25 burn;  
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27 (2) The application under subdivision (1) of this section is  
28 approved by the ~~quorum-court~~ county judge and the fire department; and  
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30 (3) Before the approval under subdivision (2) of this section,  
31 the property owner demonstrates to the ~~quorum-court~~ county judge and the fire  
32 department that:

33 (A) The property owner has complied with applicable state  
34 and federal environmental laws and regulations regarding asbestos abatement;

35 (B) The property owner ensures that the residence or  
36 structure is free of asbestos-containing materials, is free of contents, and



1 otherwise demonstrates compliance with applicable state and federal  
2 environmental laws and regulations regarding hazardous wastes; and  
3 (C) Provisions are made for the proper disposal of any  
4 remaining debris.

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