

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

As Engrossed: H2/16/23

A Bill

HOUSE BILL 1434

5 By: Representative Vaught
6 *By: Senator B. Johnson*
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW REGARDING AGRICULTURE; TO
10 PLACE THE BURDEN OF PROOF ON THE PARTY BRINGING AN
11 ACTION AGAINST AN AGRICULTURAL OPERATION AS A
12 NUISANCE; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE LAW REGARDING AGRICULTURE;
16 AND TO PLACE THE BURDEN OF PROOF ON THE
17 PARTY BRINGING AN ACTION AGAINST AN
18 AGRICULTURAL OPERATION AS A NUISANCE.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 2-4-107, concerning agricultural operations
25 as a public or private nuisance, is amended to add an additional subsection
26 to read as follows:

27 (e) The burden of proof in actions brought under this chapter is on
28 the party who brings an action against an agricultural operation.
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30 /s/Vaught
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