

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

A Bill

SENATE BILL 564

5 By: Senator C. Penzo
6 By: Representative Lundstrum
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS WATER AND AIR POLLUTION
10 CONTROL ACT; TO PROVIDE FOR A CAUSE OF ACTION TO
11 ABATE PRIVATE NUISANCES THAT IMPACT AIR POLLUTION;
12 AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE ARKANSAS WATER AND AIR
16 POLLUTION CONTROL ACT; AND TO PROVIDE FOR
17 A CAUSE OF ACTION TO ABATE PRIVATE
18 NUISANCES THAT IMPACT AIR POLLUTION.
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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 § 8-4-306(c), concerning private actions, is
25 amended to read as follows:

26 (c)(1) Nothing in this chapter shall be construed to prevent private
27 actions under existing laws.

28 (2) This chapter does not prevent a public entity from bringing
29 an action on behalf of the public entity's residents to enjoin a private
30 nuisance.
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