

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 427

By: Senator B. Ballinger
By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 8 OF
THE ARKANSAS CODE CONCERNING ENVIRONMENTAL LAW; AND
FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 8
OF THE ARKANSAS CODE CONCERNING
ENVIRONMENTAL LAW.

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

SECTION 1. Arkansas Code § 8-6-712(c)(2), concerning regulation of solid waste disposal, is amended to read as follows to clarify references and make a stylistic change:

(2) ~~Nothing in this section shall~~ This section does not prohibit the collection or disposal of solid waste by a municipality with an existing permitted landfill with a twenty-five-year capacity as of January 1, 1991, when the ~~city~~ municipality bears the expense of operating and maintaining the landfill and the landfill complies with United States Environmental Protection Agency regulations and division ~~regulations~~ rules.

SECTION 2. Arkansas Code § 8-6-1701(1), concerning definitions related to open burning of residential yard waste, is amended to read as follows to clarify a definition:

(1)(A) "Open burning" means the incineration or combustion of waste materials as a method of disposal without any means to control the fuel/air



~~ratio. None of the activities exempted from rules as air pollution in § 8-4-305 or in rules adopted by the Arkansas Pollution Control and Ecology Commission shall constitute “open burning”, provided such~~

(B) “Open burning” does not include activities exempted from rules as air pollution in § 8-4-305 or in rules adopted by the Arkansas Pollution Control and Ecology Commission, if the activities exempted do not cause a fire or safety hazard; and

SECTION 3. Arkansas Code § 8-7-1008(b)(1), concerning employee information and training under the Public Employees’ Chemical Right to Know Act, is amended to read as follows to clarify a reference:

(b)(1) The information and training program provided pursuant to this section shall be developed in accordance with rules to be promulgated by the Director of the ~~Department of Labor or the~~ Division of Labor pursuant to § 8-7-1011.

SECTION 4. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Third General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Third General Assembly and this act:

(A) The act of the regular session of the Ninety-Third General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Third General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

APPROVED: 3/25/21