

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1744

By: Representative Wardlaw
By: Senator Hill

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING SOLID WASTE; TO AMEND THE LAW REGARDING THE LANDFILL POST-CLOSURE TRUST FUND; TO REQUIRE REIMBURSEMENT TO THE FUND; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW REGARDING SOLID WASTE; TO AMEND THE LAW REGARDING THE LANDFILL POST-CLOSURE TRUST FUND; TO REQUIRE REIMBURSEMENT TO THE FUND; TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code Title 8, Chapter 6, Subchapter 10, is amended to add an additional section to read as follows:

8-6-1006. Moneys used for landfill remediation or closure.

A landfill of any class that receives moneys from the Division of Environmental Quality from the Landfill Post-Closure Trust Fund for remediation or closure shall remain closed and unavailable to receive solid waste until the following conditions are met:

(1) Full reimbursement to the fund of moneys received by the landfill for remediation or closure;

(2) Approval for a new certificate of need for the landfill from the regional solid waste management board; and

(3) At least one (1) public hearing for public input concerning



the opening of the landfill held by the regional solid waste management district.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that improperly managed solid waste at landfills poses a danger to the citizens of this state; that it is imperative that the Landfill Post-Closure Trust Fund remain at an adequate level to sufficiently address issues related to solid waste at landfills that pose a hazard to public health and endanger the environment; and that this act is immediately necessary because full reimbursement of the fund should occur and safeguards put in place for landfills that have previously posed environmental risks and needed state funding for corrective action in order to protect the health and wellbeing of citizens. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

APPROVED: 4/13/23