

State of Arkansas  
95th General Assembly  
Regular Session, 2025

# A Bill

HOUSE BILL 1741

By: Representative Wooldridge

By: Senator D. Wallace

## For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS AGRICULTURAL LIMING  
MATERIALS ACT; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE ARKANSAS AGRICULTURAL  
LIMING MATERIALS ACT.

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

SECTION 1. Arkansas Code §§ 2-19-304 through 2-19-307 are amended to read as follows:

2-19-304. Sampling and analysis.

(a) The ~~State Plant Board~~ Department of Agriculture through its authorized agents is authorized to select from any package, bulk load, or lot of liming material exposed for sale or distribution in this state a quantity not less than two pounds (2 lbs.) for a sample, to be used for the purpose of an official analysis for comparison with the statement required by § 2-19-303 or the rules provided for therein.

(b) The ~~board~~ department and its authorized agents shall have free access during reasonable business hours to all premises where liming materials are manufactured, sold, or stored, and vehicles wherein distributed, and are authorized at all times to stop-sale by written order any and all liming materials that are unregistered, misbranded, fail to meet the guarantee, or otherwise fail to comply with the provisions of this subchapter.

2-19-305. Penalty for deficiency from guaranteed analysis.



(a) If any liming material offered for sale in this state shall, upon official analysis, prove deficient from its statement of guarantee to the extent of five percent (5%) or more, then the manufacturer, importer, or guarantor of the liming material shall be liable for two (2) times the value of the actual deficiency as shown by the official analysis.

(b)(1) Penalties assessed under this section, except those exceeding the actual value of the shortages found, shall be paid to the consumer of the lot of deficient liming material within thirty (30) days after the date of notice from the ~~State Plant Board~~ Department of Agriculture to the manufacturer, importer, or guarantor, receipts to be taken and promptly forwarded to the ~~board~~ department.

(2) The value of the deficiencies exceeding the actual shortages and the actual value of the shortages when the consumer cannot be found shall be paid to the ~~board~~ department within forty-five (45) days after the date of notice from the ~~board~~ department to the manufacturer, importer, or guarantor and shall be deposited into the Plant Board Fund of the State Treasury.

(c) The ~~board~~ State Plant Board is authorized to cancel the present registration or to refuse to register for the next season any liming materials offered for sale or distribution by any manufacturer, importer, or guarantor who fails or refuses to comply with this section.

#### 2-19-306. Registration.

(a) Before any liming material is sold or offered for sale or distribution in this state, the manufacturer, importer, or other guarantor, which is a person or firm that places or mixes liming materials of more than one (1) manufacturer in a stockpile, shall register each liming material with the ~~State Plant Board~~ Department of Agriculture.

(b)(1) The registration shall contain the statement referred to in § 2-19-303 or the rules provided for therein.

(2) ~~and be accompanied by a fee~~ A sum of fifteen dollars (\$15.00) for each liming material shall be paid with the registration.

(c) Registrations shall expire June 30 of each year.

#### 2-19-307. Quarterly tonnage reports.

(a)(1)(A)(i) All manufacturers, importers, and other guarantors who are registered under § 2-19-306(a) shall forward to the ~~State Plant Board~~

Department of Agriculture each quarter a report on forms prescribed by the ~~State Plant Board~~ department, not later than thirty (30) days after the end of each quarter.

(ii) Quarters shall end September 30, December 31, March 31, and June 30 of each year.

(B)(i) The report shall include a sworn statement of the total tonnage of all liming materials distributed in this state.

(ii) ~~and shall be accompanied by the~~ The sum of thirty cents (30¢) per ton or fractional ton shall be paid.

(iii) Upon receipt of the report under subdivision (a)(1)(A)(i) of this section, the department shall invoice the responsible party for payment of the sum.

(2)(A) A fee sum of thirty cents (30¢) ~~will accompany~~ shall be paid for each quarterly report of tonnage which amounts to less than one (1) ton.

(B) Upon receipt of the report under subdivision (a)(2)(A) of this section, the department shall invoice the responsible party for payment.

(3)(A) When sales or distributions of liming materials are between registrants, the registrant who sells or distributes to a person or firm who is not a registrant shall be responsible for payment of the inspection ~~fee~~ unless the payment is made by the registrant initiating the transaction.

(B) Invoices of transactions between registrants shall be marked "inspection ~~fee~~ paid" or "inspection ~~fee~~ not paid"; otherwise, the registrant initiating the transaction shall be responsible for payment of the inspection ~~fee~~.

(C) The ~~State Plant Board~~ department shall issue receipts for the amounts received and shall deposit the sums received as follows:

(i) Twenty cents (20¢) of the thirty-cent ~~fee~~ sum per ton or fractional ton inspected shall be deposited with the Treasurer of State as special revenues. It shall be credited to the ~~State Plant Board~~ Plant Board Fund to be used for its maintenance, operation, support, and improvement; and

(ii)(a) Ten cents (10¢) of the thirty-cent ~~fee~~ sum per ton or fractional ton inspected shall be remitted to the Board of

Trustees of the University of Arkansas. This amount shall be credited to a fund to be known as the "University of Arkansas, Division of Agriculture, Soil Testing and Research Fund" to be maintained in accounts in one (1) or more financial institutions in the State of Arkansas. This amount shall be expended exclusively for soil testing service and soil fertility research and extension by the Board of Trustees of the University of Arkansas under appropriations made by the General Assembly. It shall be expended in support of one (1) or more soil testing laboratories and soil fertility research activities at the main experiment stations, branch experiment stations, or subbranch experiment stations, as determined and designated by the Vice President for Agriculture of the University of Arkansas.

(b)(1) The Board of Trustees of the University of Arkansas shall provide for the investment of any funds in the University of Arkansas, Division of Agriculture, Soil Testing and Research Fund that are not needed for current operations of the soil testing laboratories and soil fertility service and research and extension activities and shall credit the interest earned on the investment to the credit of the University of Arkansas, Division of Agriculture, Soil Testing and Research Fund.

(2) The investment shall be of the type and nature authorized for the investment of average daily State Treasury balances by the State Board of Finance.

(b)(1) The ~~State Plant Board~~ department or its agents shall have the right at any time to inspect or audit the books of any manufacturer and manipulator or their agents to determine the correctness of the monthly reports required under this section.

(2) Refusal to allow this inspection or audit shall be deemed a violation of this subchapter, and the violator shall be subject to the penalties provided in it.

(3) For a late report or for failure to report the entire amount sold, the sum owed for tonnage ~~fee~~ on the late report or unreported amount shall be doubled, and penalties shall be deposited into the Plant Board Fund; otherwise, registrations may be cancelled by the State Plant Board.

**APPROVED: 4/10/25**