

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1928

By: Representative M. Brown

By: Senator Crowell

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS SOIL NUTRIENT APPLICATION AND POULTRY LITTER UTILIZATION ACT; TO AMEND THE LAW CONCERNING DESIGNATED NUTRIENT APPLICATION; TO AMEND THE LAW CONCERNING NUTRIENT MANAGEMENT PLAN; TO AMEND THE LAW CONCERNING POULTRY LITTER MANAGEMENT PLAN; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE ARKANSAS SOIL NUTRIENT APPLICATION AND POULTRY LITTER UTILIZATION ACT.

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

SECTION 1. Arkansas Code § 15-20-1106(c), concerning the designated nutrient application within a nutrient surplus area, is amended to read as follows:

(c) Designated nutrient application within a nutrient surplus area shall be applied under time, place, and manner restrictions determined necessary by the commission, as provided by the commission's inclusion of the terms in the nutrient management plan or poultry litter management plan, to protect the soil fertility, crop vitality, and the waters within the state.

SECTION 2. Arkansas Code § 15-20-1107(d), concerning an approved nutrient management plan constituting a permit to apply nutrients, is amended to read as follows:

(d)(1) An approved nutrient management plan shall constitute a permit



to apply nutrients consistent with the nutrient management plan.

(2) The application of nutrients consistent with an approved nutrient management plan under subdivision (d)(1) of this section shall not serve as the basis for any civil or criminal liability, directly or vicariously, for either the nutrient management plan holder or an agent or a principal of the nutrient management plan holder.

SECTION 3. Arkansas Code § 15-20-1107, concerning nutrient management plans, is amended to add additional subsections to read as follows:

(e)(1) An administrative violation of this section shall not serve as the basis for any criminal or civil action.

(2) An alleged violation of this section is not a basis for a private right of action or any other action other than enforcement of the terms of the nutrient management plans with the exception that the commission may collect administrative fines as authorized under § 15-20-1113.

(f) As used in this section, "approved nutrient management plan" means a nutrient management plan that has been approved by the relevant authority and has not been:

(1) Revoked or rescinded by the state or a duly authorized agent of the state; or

(2) Supplanted by a more recent nutrient management plan.

SECTION 4. Arkansas Code § 15-20-1108(e), concerning an approved poultry litter management plan constituting a permit to apply nutrients, is amended to read as follows:

(e)(1) An approved poultry litter management plan shall constitute a permit to apply nutrients consistent with the poultry litter management plan.

(2) The application of nutrients consistent with an approved poultry litter management plan under subdivision (e)(1) of this section shall not serve as the basis for any civil or criminal liability, directly or vicariously, for either the poultry litter management plan holder or an agent or a principal of the poultry litter management plan holder.

SECTION 5. Arkansas Code § 15-20-1108, concerning poultry litter management plans, is amended to add additional subsections to read as follows:

(f)(1) An administrative violation of this section shall not serve as the basis for any criminal or civil action.

(2) An alleged violation of this section is not a basis for a private right of action or any other action other than enforcement of the terms of the poultry litter management plans with the exception that the commission may collect administrative fines as authorized under § 15-20-1113.

(g) As used in this section, "approved poultry litter management plan" means a poultry litter management plan that has been approved by the relevant authority and has not been:

(1) Revoked or rescinded by the state or a duly authorized agent of the state; or

(2) Supplanted by a more recent nutrient management plan.

APPROVED: 4/17/25