1   State of Arkansas

2   85th General Assembly

A Bill

3   Regular Session, 2005

HOUSE BILL   1812

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5   By: Representative Mahony

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8   **For An Act To Be Entitled**

9   AN ACT TO ALLOW AN AWARD OF EXPERT WITNESS FEES

10   AND ATTORNEY'S FEES IN AN ACTION FOR UNLAWFULLY

11   CUTTING TIMBER; AND FOR OTHER PURPOSES.

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13   **Subtitle**

14   AN ACT TO ALLOW AN AWARD OF EXPERT

15   WITNESS FEES AND ATTORNEY'S FEES IN AN

16   ACTION FOR UNLAWFULLY CUTTING TIMBER.

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

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21   SECTION 1. Arkansas Code § 15-32-301 is amended to read as follows:

22   15-32-301. Liability for unlawfully cutting, etc.

23   (a) Any person who shall knowingly cut down, destroy, or carry away

24   any tree, timber, lumber, staves, or shingles made therefrom, contrary to

25   this subchapter, any person who shall aid and abet or assist any other person

26   in so doing, and any person who shall purchase or receive any trees, timber,

27   lumber, staves, or shingles knowing them to have been cut contrary to the

28   provisions of this subchapter shall be jointly and severally liable to the

29   owner in double the value thereof, to be recovered by action at law in the

30   name of the state in case those items should be cut from the lands of the

31   state or in the name of the corporation or person owning the land in case

32   those items shall be so cut from other lands.

33   (b) A violation of any of the provisions of this subchapter shall be

34   grounds for an attachment against the property of the persons who shall be

35   guilty of the violation, to be issued in the same manner as attachments in

36   other civil actions.

1   (c) A court rendering a judgment in an action brought under subsection

2   (a) of this section may award all or a portion of the costs of litigation,

3   including reasonable expert witness fees and attorney's fees, to the

4   complainant in the action.

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