

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: S3/4/19  
**A Bill**

HOUSE BILL 1512

By: Representative Hillman  
By: Senators D. Wallace, B. Johnson

### For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS PLANT ACT OF 1917; TO CLARIFY AN EGREGIOUS VIOLATION IN RELATION TO THE USE OF CERTAIN *HERBICIDES*; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE ARKANSAS PLANT ACT OF 1917;  
TO CLARIFY AN EGREGIOUS VIOLATION IN  
RELATION TO CERTAIN *HERBICIDES*; AND TO  
DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 2-16-203(b)(1)(A)(ii)(b), concerning egregious violations from dicamba or an auxin-containing herbicide, is amended to read as follows:

(b) A violation is egregious only if ~~significant off target crop damage occurred as a result of the application of the application of one (1) of the following herbicides is used intentionally in violation of the federal label requirements or a state law or rule regarding its application:~~

(1) ~~dicamba~~ Dicamba;  
(2) ~~or an auxin-containing~~ An auxin-  
containing herbicide; or

(3) ~~any~~ A new herbicide technology released after August 1, 2017.



SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that delay in implementation of this act would hinder the State Plant Board from enforcing egregious violations during the 2019 growing season, which could have a detrimental impact on the state's agricultural economy. 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.

/s/Hillman