

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 564

By: Senator C. Penzo
By: Representative Lundstrum

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT; TO PROVIDE FOR A CAUSE OF ACTION TO ABATE PRIVATE NUISANCES THAT IMPACT AIR POLLUTION; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT; AND TO PROVIDE FOR A CAUSE OF ACTION TO ABATE PRIVATE NUISANCES THAT IMPACT AIR POLLUTION.

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

SECTION 1. Arkansas Code § 8-4-306(c), concerning private actions, is amended to read as follows:

(c)(1) Nothing in this chapter shall be construed to prevent private actions under existing laws.

(2) This chapter does not prevent a public entity from bringing an action on behalf of the public entity's residents to enjoin a private nuisance.

