

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

State of Arkansas  
95th General Assembly  
Regular Session, 2025

As Engrossed: H1/28/25 S2/27/25

## A Bill

HOUSE BILL 1149

By: Representative Vaught

By: Senator B. Davis

### For An Act To Be Entitled

AN ACT CONCERNING VEGETABLE GARDEN PROTECTION; AND  
FOR OTHER PURPOSES.

### Subtitle

CONCERNING VEGETABLE GARDEN PROTECTION.

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

*SECTION 1. DO NOT CODIFY. Legislative intent.*

*The General Assembly intends to encourage and protect the development of sustainable cultivation of vegetables and fruits at all levels of production, including without limitation on private residential property for personal consumption or noncommercial sharing, as an important interest of the state.*

*SECTION 2. Arkansas Code Title 2, Chapter 1, Subchapter 1, is amended to add an additional section to read as follows:*

*2-1-103. Vegetable garden protection – Definitions.*

*(a) As used in this section:*

*(1) "Prohibit" means an act or failure to act by the governing body of a local government that prevents a property owner from using his or her private residential property to cultivate a vegetable garden after compliance with generally applicable local laws and zoning requirements; and*

*(2) "Vegetable garden" means a plot of ground or an elevated soil bed on private residential property where vegetables, herbs, fruits, flowers, pollinator plants, leafy greens, or other edible plants are cultivated for personal consumption or noncommercial sharing.*



(b) A person may cultivate a vegetable garden for personal consumption or noncommercial sharing on his or her own private residential property or on the private residential property of another person with the permission of the property owner in any county, municipality, or other political subdivision of this state.

(c) A county, municipality, or other political subdivision of this state shall not prohibit vegetable gardens on private residential properties.

/s/Vaught