

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1776

By: Representatives Lundstrum, Unger

For An Act To Be Entitled

AN ACT TO AMEND THE CERTIFICATE OF NEED REQUIRED TO OBTAIN A SOLID WASTE LANDFILL OR TRANSFER STATION PERMIT OR AN EXPANSION OF A SOLID WASTE LANDFILL OR TRANSFER STATION PERMIT; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE CERTIFICATE OF NEED REQUIRED TO OBTAIN A SOLID WASTE LANDFILL OR TRANSFER STATION PERMIT OR AN EXPANSION OF A SOLID WASTE LANDFILL OR TRANSFER STATION PERMIT.

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

SECTION 1. Arkansas Code § 8-6-702, concerning definitions relating to regional solid waste management districts and boards, is amended to add an additional subdivision to read as follows:

(17) "Host community" means the closest governmental unit as measured along major access roads and highways that exercises zoning authority encompassed within a twelve-mile radius of the proposed, current, or expanded site of the solid waste landfill.

SECTION 2. Arkansas Code § 8-6-706(a), concerning permits for solid waste landfill and transfer station permits, is amended to read as follows:

(a)(1) Before an application for a new permit or permit expansion is submitted to the Division of Environmental Quality, an applicant for a solid waste landfill permit or a transfer station permit shall obtain a certificate



of need from the regional solid waste management board that has jurisdiction over the proposed site, with the exception of permits for landfills when a private industry bears the expense of operating and maintaining the landfill solely for the disposal of waste generated by the industry or wastes of a similar kind or character under the Arkansas Solid Waste Management Act, § 8-6-201 et seq.

(2) The division may deny any permit based upon the denial of a certificate of need by any board.

(3) If, during the pendency of a permit application, more than four (4) years passes from the date of issuance of the certificate of need, then the applicant shall supplement the application with a current certificate of need passed in the same manner as the certificate of need submitted to the division with the initial application.

SECTION 3. Arkansas Code § 8-6-706(b), concerning permits for solid waste landfill and transfer station permits, is amended to add an additional subdivision to read as follows:

(3)(A) The applicant's petition shall include a city council resolution or quorum court minute order if a municipality is not the closest governmental unit, regarding the host community's decision.

(B) The city council resolution or quorum court minute order shall be voted on at a regularly scheduled meeting of the city council or quorum court if a municipality is not the closest governmental unit and signed by either the mayor of the city or the county judge if a municipality is not the closest governmental unit.