

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 1867

By: Representative B. McKenzie

## For An Act To Be Entitled

AN ACT TO ESTABLISH THE NO GOVERNMENT TRESPASSING  
ACT; TO PROHIBIT GAME WARDEN TRESPASS ONTO PRIVATE  
LAND; AND FOR OTHER PURPOSES.

## Subtitle

TO ESTABLISH THE NO GOVERNMENT  
TRESPASSING ACT; AND TO PROHIBIT GAME  
WARDEN TRESPASS ONTO PRIVATE LAND.

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

SECTION 1. Arkansas Code Title 15, Chapter 41, is amended to add an additional subchapter to read as follows:

### Subchapter 4 – No Government Trespassing Act

#### 15-41-401. Title.

This subchapter shall be known and may be cited as the "No Government Trespassing Act".

#### 15-41-402. Game warden entry onto private land prohibited – Exceptions.

Notwithstanding any provision of state or federal law, in the course of performing his or her duties, a game warden may not enter private land unless the game warden has:

(1) A warrant; or

(2)(A) Except as provided in subdivision (2)(B) of this section, the explicit or implied permission of an owner or a lessee of the land.



(B) A game warden may enter private land without the explicit or implied permission of an owner or a lessee of the land if probable cause exists that there is a legitimate need to respond to:

- (i) Injured or distressed wildlife;
- (ii) An emergency situation;
- (iii) An accident; or
- (iv) An imminent threat to public safety occurring on the private land that requires immediate intervention.

15-41-403. Penalties and liability.

(a) Evidence obtained pursuant to a search or seizure conducted in violation of this subchapter is inadmissible in an administrative or judicial proceeding.

(b) An arrest or property seizure made pursuant to a search or seizure conducted in violation of this subchapter is invalid.

(c) A game warden is not immune from suit for a violation of this subchapter.

15-41-404. Civil relief.

A person who is injured in connection with a violation of this subchapter may bring an action under the Arkansas Civil Rights Act of 1993, § 16-123-101 et seq., for:

- (1) Declaratory relief;
- (2) Injunctive relief;
- (3) Compensatory damages;
- (4) Nominal damages; and
- (5) Reasonable attorney's fees.