

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1434

5 By: Representative Vaught
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW REGARDING AGRICULTURE; TO
9 PLACE THE BURDEN OF PROOF ON THE PARTY BRINGING AN
10 ACTION AGAINST AN AGRICULTURAL OPERATION AS A
11 NUISANCE; AND FOR OTHER PURPOSES.
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Subtitle

14 TO AMEND THE LAW REGARDING AGRICULTURE;
15 AND TO PLACE THE BURDEN OF PROOF ON THE
16 PARTY BRINGING AN ACTION AGAINST AN
17 AGRICULTURAL OPERATION AS A NUISANCE.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 2-4-107, concerning agricultural operations
24 as a public or private nuisance, is amended to add an additional subsection
25 to read as follows:

26 (e) The burden of proof in actions brought under this chapter is on
27 the party who brings an action against an agricultural operation.
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