

94th Arkansas General Assembly/Agricultural Operation: Legislation Addressing Burden of Proof for Nuisance Action



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House Bill 1434 (“HB 1434”) was filed earlier in February addressing the burden of proof on parties bringing an action against an agricultural operation alleging a nuisance.

The bill’s original sponsor is Representative Vaught.

Senator B. Johnson was added through Amendment No. 1 as a co-sponsor.

The bill would amend Ark. Code Ann. § 2-4-107, concerning agricultural operations as a public or private nuisance to add the following:

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

The bill was referred to the House of Representatives Judiciary Committee and is currently on the agenda for its February 28th meeting.

A copy of HB 1434 can be downloaded [here](#).