

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H2/13/03 S4/4/03

A Bill

HOUSE BILL 1356

5 By: Representatives Sullivan, Bennett, Bolin, Cowling, Dickinson, D. Evans, L. Evans, Hathorn,
6 Hickinbotham, Mack, Milligan, Oglesby, Pate, L. Prater, Jeffrey, Scroggin, Stovall, Thomas, Thomason,
7 Verkamp, Walters, Weaver, Scrimshire
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For An Act To Be Entitled

11 AN ACT TO PROTECT LIVESTOCK AND POULTRY PRODUCERS
12 FROM UNFAIR REBUILDING COSTS AFTER NATURAL
13 DISASTERS; AND FOR OTHER PURPOSES.
14

Subtitle

16 AN ACT TO PROTECT LIVESTOCK AND POULTRY
17 PRODUCERS FROM UNFAIR REBUILDING COSTS
18 AFTER NATURAL DISASTERS.
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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 Title 2, Chapter 1, Subchapter 1 is amended
24 to add an additional section to read as follows:

25 2-1-102. Contracts - natural disasters.

26 (a)(1) In all agricultural contracts between a contractor and a
27 producer, except contracts covering agricultural facilities that are more
28 than twenty (20) years old, if the producer is unable to obtain funding,
29 financing, or credit for reconstruction of facilities based upon current
30 standards or specifications of the contractor, the contractor shall permit
31 the producer to rebuild to the same standard as before the disaster, an
32 agricultural facility damaged or destroyed by a natural disaster.

33 (2) The producer may use:

34 (A) Any salvage material that is of reasonable quality;

35 and

36 (B) Any foundations, footings, pads, or locations not



1 damaged beyond repair.

2 (b) For purposes of this section:

3 (1) "Agricultural contract" means any written contract between a
4 contractor and a producer;

5 (2) "Agricultural facility" means, but is not limited to, any plant,
6 facility, structure, or establishment used for the feeding, growing,
7 production, holding, processing, storage, or distribution for commercial
8 purposes of livestock, poultry, swine, or products derived from any of them;

9 (3) "Contractor" means a person who in the ordinary course of business
10 buys agricultural commodities grown or raised in this state or who contracts
11 with a producer to grow or raise agricultural commodities in this state; and

12 (4) "Producer" means a person who produces or causes to be produced
13 livestock or poultry or both in a quantity beyond the person's own family use
14 and:

15 (A) Is able to transfer title to another; or

16 (B) Provides management, labor, machinery, facilities, or any
17 other production input for the production of an agricultural commodity.

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19 */s/ Sullivan*
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