

**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.  
Act 452 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

HOUSE BILL 1573

5 By: Representative Lowery  
6 By: Senator G. Jeffress  
7  
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## For An Act To Be Entitled

10 TO AMEND THE OIL AND GAS COMMISSION'S AUTHORITY  
11 CONCERNING RULES FOR ADMINISTERING THE NATURAL  
12 GAS PIPELINE SAFETY ACT OF 1968; TO AMEND THE  
13 DEFINITION OF "TRANSPORTATION OF GAS" UNDER THE  
14 NATURAL GAS PIPELINE SAFETY ACT OF 1971; AND FOR  
15 OTHER PURPOSES.  
16

## Subtitle

17  
18 TO AMEND THE OIL AND GAS COMMISSION'S  
19 RULES FOR ADMINISTERING THE NATURAL GAS  
20 PIPELINE SAFETY ACT OF 1968; AND TO  
21 AMEND THE DEFINITION OF "TRANSPORTATION  
22 OF GAS" UNDER THE ARKANSAS NATURAL GAS  
23 PIPELINE SAFETY ACT OF 1971.  
24  
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. Arkansas Code § 15-71-110(d)(18), concerning the Oil and  
29 Gas Commission's rules for the administration of the Natural Gas Pipeline  
30 Safety Act of 1968, is amended to read as follows:

31 (18) To administer and enforce any applicable provisions of the  
32 Natural Gas Pipeline Safety Act of 1968, Pub. L. No. 90-481, and to  
33 specifically empower the commission to submit any satisfactory certification  
34 required by the Natural Gas Pipeline Safety Act of 1968, Pub. L. No. 90-481,  
35 in connection with;



1                    (A) A any production process or production facility as  
2 defined in this section; or

3                    (B) A natural gas pipeline or associated facility whose:

4                    (i) Owner is not affiliated with an Arkansas natural  
5 gas public utility; and

6                    (ii) The majority owner is either a production  
7 company or an affiliate of a production company.

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9                    SECTION 2. Arkansas Code § 23-15-203(10), concerning the definition of  
10 “transportation of gas”, is amended to read as follows:

11                    (10)(A) “Transportation of gas” means the gathering, transmission, or  
12 distribution of gas by pipeline or ~~its~~ the storage of gas in or through any  
13 pipeline facilities other than interstate transmission facilities as defined  
14 in this section.

15                    (B) ~~It shall~~ “Transportation of gas” shall not include+

16                    ~~(i) Production~~ production facilities or the  
17 production process; ~~or~~

18                    ~~(ii) The gathering of gas in those rural locations~~  
19 ~~which lie outside the limits of any incorporated or unincorporated city,~~  
20 ~~town, village, or any other designated residential or commercial area such as~~  
21 ~~a subdivision, a business or shopping center, a community development, or any~~  
22 ~~other nonrural area.~~

23                    (C) ~~However, it shall specifically~~ “Transportation of gas” shall  
24 include the gathering, transmission, or distribution of natural gas  
25 containing one hundred (100) or more parts per million of hydrogen sulfide  
26 from the custodial transfer meter through any pipeline, rural or nonrural, to  
27 and through any pipeline facility that removes hydrogen sulfide, except that  
28 portion of such a pipeline or pipeline facility that is located within the  
29 fenced boundary of a petroleum refinery.

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31                    **APPROVED: 3/18/2009**