

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 815 of the Regular Session

1 State of Arkansas

As Engrossed: S3/18/09

2 87th General Assembly

A Bill

3 Regular Session, 2009

SENATE BILL 993

4  
5 By: Senator R. Thompson

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7  
8 **For An Act To Be Entitled**

9 AN ACT CONCERNING ORAL LEASES OF FARMLANDS; TO  
10 PROVIDE AN EMERGENCY EFFECTIVE DATE; AND FOR  
11 OTHER PURPOSES.

12  
13 **Subtitle**

14 CONCERNING ORAL LEASES OF FARMLANDS AND  
15 TO PROVIDE AN EMERGENCY EFFECTIVE DATE.

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17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19  
20 *SECTION 1. Section 1 of Act 190 of 2009 is repealed.*

21 ~~*SECTION 1. Arkansas Code Title 18, Chapter 16, Subchapter 1 is amended*~~  
22 ~~*to add an additional section to read as follows:*~~

23 ~~*18-16-105. Termination of oral lease of farmlands.*~~

24 ~~*The owner of farmlands that are rented or leased under an oral rental*~~  
25 ~~*or lease agreement may elect not to renew the oral rental or lease agreement*~~  
26 ~~*for the following calendar year by giving written notice by certified mail to*~~  
27 ~~*the renter or lessee on or before June 30 that the oral rental or lease*~~  
28 ~~*agreement will not be renewed for the following calendar year.*~~

29  
30 *SECTION 2. Arkansas Code Title 18, Chapter 16, Subchapter 1 is amended*  
31 *to add an additional section to read as follows:*

32 ~~*18-16-105. Termination of oral lease of farmlands.*~~

33 ~~*The owner of farmlands that are rented or leased under an oral rental*~~  
34 ~~*or lease agreement may elect not to renew the oral rental or lease agreement*~~  
35 ~~*for the following calendar year by giving written notice by certified mail to*~~



1 the renter or lessee on or before June 30 that the oral rental or lease  
2 agreement will not be renewed for the following calendar year.

3  
4 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
5 General Assembly of the State of Arkansas that the traditional deadline for  
6 notice of the termination of a lease for the next crop year is June 30; that  
7 farmers operating under an oral lease are currently vulnerable to a demand  
8 for the surrender of their land; that the certainty of a farm lease of lands  
9 is necessary before the purchase of seed, fertilizer, equipment replacement,  
10 determination of the amount of a production loan, and advanced planning  
11 required for farming operations; and that this act will provide the necessary  
12 certainty to permit efficient farming operations. Therefore, an emergency is  
13 declared to exist and this act being immediately necessary for the  
14 preservation of the public peace, health, and safety shall become effective  
15 on:

16 (1) The date of its approval by the Governor;

17 (2) If the bill is neither approved nor vetoed by the Governor,  
18 the expiration of the period of time during which the Governor may veto the  
19 bill; or

20 (3) If the bill is vetoed by the Governor and the veto is  
21 overridden, the date the last house overrides the veto.

22  
23 /s/ R. Thompson

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25 **APPROVED: 4/3/2009**