

ARKANSAS SENATE
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of Senate Bill No. 488

TO PROHIBIT ENFORCEMENT OF CERTAIN PROVISIONS IN CONSTRUCTION AGREEMENTS AND
CONSTRUCTION CONTRACTS.

Amendment No. 2 to Senate Bill No. 488

Amend Senate Bill No. 488 as engrossed, S3/18/15 (version: 03/18/2015 09:23:18 AM):

Page 1, delete lines 24 through 26, and substitute the following:
"construction agreements and construction contracts ~~unenforceable~~.

SECTION 2. Arkansas Code § 4-56-104(a), concerning the definitions used in dealing with construction contracts, is amended to add additional subdivisions to read as follows:

(4) "Gas" means natural gas, including casing-head gas and all other hydrocarbons that are not oil under subdivision (a)(5) of this section;

(5) "Oil" means crude petroleum oil and other hydrocarbons regardless of gravity that are produced at the well in liquid form by ordinary production methods and is not the result of condensation of gas after it leaves the reservoir; and

(6) "Operator" means a person that has the right as a landowner or by agreement with a landowner to enter on the land of another to explore, drill, and develop for the production of brine, oil, gas, and any other petroleum hydrocarbons.

SECTION 3. Arkansas Code § 4-56-104(b), concerning the hold harmless"

AND

Page 2, delete line 8, and substitute the following:
"another state."

SECTION 4. Arkansas Code § 4-56-104, concerning the hold harmless clause in a construction contract as unenforceable, is amended to add an additional subsection to read as follows:

(f) The provisions of this section do not affect any provision in a construction agreement or construction contract that requires for the provision of construction work or services to an operator or other person directly related to activities or operations stemming from the exploration, drilling, production, processing, gathering, or movement of oil or gas,



including without limitation the planning, construction, site preparation, or installation of equipment, facilities, or structures, on or off at least one (1) site where any exploration or production operations have occurred, are occurring, or will occur."

AND

Renumber the remaining sections appropriately

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Rapert

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Secretary