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	As Engrossed: H4/1/03 H4/8/03	
2	84th General Assembly	[°] A Bill	
3	Regular Session, 2003		HOUSE BILL 2573
4			
5	By: Representatives Ledbetter, Hathorn, Milligan, L. Prater		
6			
7			
8	For An Act To Be Entitled		
9	THE ARKANSAS LIVESTOCK AND POULTRY GROWERS		
10	PROTECTION ACT.		
11			
12		Subtitle	
13		ARKANSAS LIVESTOCK AND POULTRY	
14	GROW	ERS PROTECTION ACT.	
15			
16			
17	BE IT ENACTED BY THE (GENERAL ASSEMBLY OF THE STATE OF A	RKANSAS:
18	GTGTTON 1 ()		
19	SECTION 1. (a) As used in this section:		
20	(1) "Contractor" means a person who owns poultry or livestock		
21	that is raised or cared for by a livestock or poultry grower;		
22	(2) "Livestock or poultry grower" means a person engaged in the		
23 24	business of raising and caring for livestock or poultry in accordance with a growout contract, marketing agreement, or other arrangement under which a		
24 25		grower raises and cares for livesto	
26	•	or poultry is owned by the person	
27			_
28	(3) "Production contract" means any written agreement that provides for the raising and care of livestock or poultry by a livestock or		
29	poultry producer for a		<u> </u>
30		duction" means to raise and care fo	or livestock or
31	poultry under the terms of a livestock or poultry production contract.		
32	(b) Livestock and poultry production contracts shall:		
33	(1) Be written in a readable form and shall be accompanied by a		
34	clearly written disclosure statement setting forth the nature of the material		
35	risks faced by all livestock or poultry growers, if the livestock or poultry		
36		vestock or poultry production cont	

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1	(2) Be negotiated and entered into in an environment free from		
2	unfair or deceptive trade practices or other violations of law;		
3	(3) Not prohibit nor discourage livestock or poultry growers		
4	from associating with other livestock or poultry growers to compare contract		
5	terms or address concerns or problems;		
6	(4) Not prohibit nor discourage livestock or poultry growers		
7	from seeking professional, legal, financial and agricultural production		
8	advice and counsel related to production contract terms, obligations and		
9	responsibilities; and		
10	(5)(A) Not deny livestock or poultry growers of the ability to		
11	address a dispute in the Arkansas courts.		
12	(B) The livestock or poultry growers contract may contain		
13	\underline{a} provision to have the option of submitting any dispute arising under \underline{a}		
14	livestock or poultry production contract to arbitration, which shall be fully		
15	explained to the grower.		
16	(c)(1) Any provision of a livestock or poultry production contract		
17	which violates the provisions of subsection (b) of this section is void and		
18	unenforceable.		
19	(2) This subsection (c) shall not affect other provisions of a		
20	livestock or poultry production contract, including a contract or related		
21	document, policy, or agreement which can be given effect without the voided		
22	provision.		
23	(d)(1) A livestock or poultry grower who suffers damages because of a		
24	contractor's violation of the provisions of subsection (b) of this section		
25	may obtain appropriate legal and equitable relief, including, but not limited		
26	to, injunctive relief and punitive damages.		
27	(2) In a civil action against the contractor, the court may		
28	award the livestock or poultry producer who is the prevailing party,		
29	reasonable attorney fees and other litigation expenses.		
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31	/s/ Ledbetter, et al		
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