

Hall of the House of Representatives

83rd General Assembly - Regular Session, 2001

Amendment Form

Subtitle of House Bill No. 1051

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED 18-61-101 TO PROVIDE THAT
EASEMENTS MAY ONLY BE ACQUIRED THROUGH AN EXPRESS WRITTEN GRANT
OF EASEMENT."

Amendment No. 1 to House Bill No. 1051.

Amend House Bill No. 1051 as originally introduced:

Page 2, delete lines 14 and 15 and substitute

"(f) The provisions of subsection (e) shall not apply to public utilities, telecommunication companies, pipeline companies, companies engaged in oil, gas or brine exploration or production operations, natural gas storage companies, counties, municipalities, or the State of Arkansas, and shall not prohibit the exercise of the right of eminent domain by any entity possessing that right.

(g) A public utility, telecommunication company, pipeline company, company engaged in oil, gas or brine exploration or production operations, natural gas storage company, county, municipality, or the State of Arkansas, shall have the right of access, ingress and egress to rebuild, upgrade, modernize, reconstruct, protect, repair, bury or maintain its facilities located on property subject to a prescriptive easement in its favor.

(h) The provisions of subsection (e) are intended to be prospective only and shall not apply to any prescriptive easements which may have been previously created or granted by an order or judgement of a court of competent jurisdiction."

.RCK605

The Amendment was read _____

By: Representative Milum

PBB/RCK

RCK605

Chief Clerk