

Hall of the House of Representatives

90th General Assembly - Regular Session, 2015

Amendment Form

Subtitle of House Bill No. 1214

TO REQUIRE THAT NOTICE BE GIVEN TO GROWERS CONCERNING ADDITIONAL INVESTMENTS
THAT MAY BE REQUIRED UNDER A PRODUCTION CONTRACT.

Amendment No. 2 to House Bill No. 1214

Amend House Bill No. 1214 as engrossed, H2/4/15 (version: 02/04/2015 9:27:32 AM):

Page 1, line 10, delete "AND", and substitute "TO DECLARE AN EMERGENCY; AND"

AND

Delete the subtitle in its entirety and substitute:

"TO REQUIRE THAT NOTICE BE GIVEN TO
GROWERS CONCERNING ADDITIONAL
INVESTMENTS THAT MAY BE REQUIRED UNDER A
PRODUCTION CONTRACT; AND TO DECLARE AN
EMERGENCY."

AND

Page 1, line 27, delete "statement", and substitute "statement, signed by the grower,"

AND

Page 2, delete lines 6 through 10, and substitute the following:

"(6) Contain certain disclosure notices, including without limitation:

(A) The notices required under 7 U.S.C. § 197a, as it existed on January 1, 2015; and

(B) Notice that the grower's execution of the production contract establishes that the grower understands and acknowledges that additional large capital investments, including without limitation the purchase of additional equipment, the completion of improvements, and the upgrade of structures housing poultry or livestock, may be required of the grower during the term of the production contract."

AND



Page 2, line 24, delete "attached", and substitute "attached as a separate document"

AND

Page 2, line 27, delete "complete.", and substitute "complete. The Lender is not obligated to make any additional loans to the Borrower if additional investments are required to comply with the related production contract."

AND

Immediately following SECTION 2, add an additional section to read as follows:

"SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that agriculture is an essential element of Arkansas's economy; that protecting the members of the agricultural community in Arkansas is in the best interests of the state; that the failure of some contractors to notify growers in advance that additional investments may be required under a production contract has resulted in some growers being forced to close their businesses; and that this act is immediately necessary because the unexpected closure of these businesses is harmful to the state's agricultural community and overall economy. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

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

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

The Amendment was read _____
By: Representative Eubanks
JLL/JLL - 02-11-2015 09:43:10
JLL188

Chief Clerk