

ARKANSAS SENATE
93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of Senate Bill No. 23

TO ESTABLISH THE ELECTRIC COOPERATIVE CORPORATION SELF-REGULATION ACT OF 2021.

Amendment No. 3 to Senate Bill 23

Amend Senate Bill No. 23 as engrossed, S2/1/21 (version: 02/01/2021 09:31:36 AM)

Page 2, delete line 19, and substitute the following:

"(1)(A) At least ninety (90) days before a vote on self-regulation, the corporation notifies the corporation's membership of the plan to conduct a vote of member-consumers regarding self-regulation.

(B) The notice described in subdivision (d)(1)(A) of this section shall:

(i) Be sent via postal mail to each member-consumer's account using the address on file; and

(ii) Include:

(a) A summary of the vote proposed and the reasons for the vote to be taken;

(b) Dates, times, and locations for at least three (3) opportunities for member-consumer comment before the vote's being taken, including instructions for how to submit electronic comments to the corporation; and

(c) The procedure necessary for the member-consumer to cast a vote.

(C) The corporation shall post notice of the vote in accessible locations, including without limitation the corporation newsletter, website, or other regular methods of member-consumer communication;

(2) A vote on self-regulation and exemption occurred according"

AND

Page 2, line 21, delete "(2)" and substitute "(3)"

AND

Page 2, line 23, delete "(3)" and substitute "(4)"

AND



Page 2, delete lines 33 and 34, and substitute the following:

"other member-accessible location.

(f) Any corporate action undertaken in good faith while the corporation acts in a self-regulated capacity is valid and effective as if determined by the commission.

(g)(1) A corporation that becomes self-regulated under this subchapter"

AND

Page 3, line 2, delete "commission receives" and substitute "commission or the corporation receives"

AND

Page 3, line 7, delete "corporation to" and substitute "corporation or the corporation decides to"

AND

Page 3, delete lines 14 through 20, and substitute the following:

"(2)(A) After following the procedure in subdivision (g)(1)(A) or subdivision (g)(1)(B) of this section, if a majority of the votes cast are in favor of returning to the jurisdiction of the commission, then the process to return the corporation to the jurisdiction of the commission shall begin as soon as possible after the membership vote.

(B) Unless otherwise ordered by the commission, a corporation's return to the jurisdiction of the commission shall be completed within twelve (12) months of the majority vote to return to commission jurisdiction.

(h) The commission shall retain jurisdiction over a corporation that"

AND

Page 3, line 33, delete "(h)" and substitute "(i)"

AND

Page 3, line 36, delete "(i)" and substitute "(j)"

AND

Page 4, delete line 1, and substitute the following:

"subchapter, this subchapter shall control, provided nothing in this subchapter conflicts with § 14-207-101 et seq. or otherwise affects the rights of municipal electric utilities under the Arkansas Municipal Electric Utility Interlocal Cooperation Act of 2003, § 25-20-401 et seq., relating to extensions of service or otherwise."

AND

Page 4, line 10, delete "corporation to" and substitute "corporation under their commission approved service territory certificate to"

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

By: Senator B. Johnson

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Secretary