1   State of Arkansas

2   84th General Assembly

A Bill

3   Regular Session, 2003   HOUSE BILL   1041

4

5   By: Representative Rankin

6

7

8   **For An Act To Be Entitled**

9   AN ACT TO AMEND ARKANSAS CODE §§ 2-6-103 AND 2-6-

10   107 TO ELIMINATE THE SECURITY AND BONDING

11   REQUIREMENTS FOR CATFISH PROCESSORS THAT ARE

12   PURCHASING CATFISH SOLELY FROM CATFISH PRODUCERS

13   WHO OWN THE PROCESSING FACILITY; AND FOR OTHER

14   PURPOSES.

15

16   **Subtitle**

17   TO ELIMINATE THE SECURITY AND BONDING

18   REQUIREMENTS FOR CATFISH PROCESSORS

19   PURCHASING CATFISH FROM CATFISH

20   PRODUCERS WHO OWN THE PROCESSING

21   FACILITY.

22

23

24   BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

25

26   SECTION 1. Arkansas Code § 2-6-103, concerning the definitions for the

27   Arkansas Catfish Processor Fair Practices Act, is amended to add an

28   additional subdivision to read as follows:

29   (13) "Owner" means a person or a producer that owns an equity

30   interest, directly or indirectly, in a catfish processor.

31

32   SECTION 2. Arkansas Code § 2-6-107(b), concerning the surety bonding

33   requirements for catfish processors, is amended to read as follows:

34   (b)(1) Regardless of the method elected under subdivision (a)(2) of

35   this section to purchase catfish products, a Class A registrant, prior to the

36   transaction, shall be required to:

1   ~~(1)~~(A) Be bonded in the amount of two hundred fifty

2 thousand dollars ($250,000) or in an amount which may be determined by the

3 board;

4   ~~(2)~~(B) Post a security bond in the amount of two hundred

5 fifty thousand dollars ($250,000) or in an amount which may be determined by

6 the board; or

7   ~~(3)~~(C) Provide cash security, letters of credit, and such

8 other evidences of security as shall be authorized by the board.

9   (2) However, if a Class A registrant purchases catfish solely

10 and exclusively from producers that are also the owners of the processor,

11 then the Class A registrant is exempt from the bonding or security

12 requirements imposed under subdivision (b)(1) of this section.

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36