

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  
2 86th General Assembly  
3 Regular Session, 2007

# A Bill

HOUSE BILL 1224

4  
5 By: Representatives Edwards, Cornwell, Garner, George, Glidewell, Hawkins, Hoyt, Kenney, Kidd, M.  
6 Martin, Pierce, Pyle, Reynolds, Rosenbaum, Walters, Wells  
7 By: Senators Baker, Whitaker

## For An Act To Be Entitled

11 AN ACT TO PROVIDE AFFIRMATIVE DEFENSES TO  
12 LIQUEFIED PETROLEUM GAS PROVIDERS IN ACTIONS FOR  
13 CIVIL LIABILITY; AND FOR OTHER PURPOSES.

## Subtitle

16 TO PROVIDE AFFIRMATIVE DEFENSES TO  
17 LIQUEFIED PETROLEUM GAS PROVIDERS IN  
18 ACTIONS FOR CIVIL LIABILITY.

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

23 SECTION 1. Arkansas Code Title 15, Chapter 75, Subchapter 1 is amended  
24 to add an additional section to read as follows:

25 15-75-112. Affirmative Defense.

26 (a) As used in this section:

27 (1) "Liquefied petroleum gas equipment" means any appliance,  
28 equipment, or piping system that uses, stores, or transports liquefied  
29 petroleum gas; and

30 (2) "Liquefied petroleum gas provider" means any person or  
31 entity engaged in the business of supplying, handling, transporting, or  
32 selling liquefied petroleum gas.

33 (b) A liquefied petroleum gas provider shall have an affirmative  
34 defense to any action for civil liability for damage or injury caused by:

35 (1) An alteration, modification, or repair of liquefied  
36 petroleum gas equipment that the liquefied petroleum gas provider:



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(A) Did not know about; or

(B) Made in compliance with applicable state law and rules  
or regulations; or

(2) The end-user's use of liquefied petroleum gas equipment:

(A) In a manner or for a purpose that the liquefied  
petroleum gas equipment was not intended to be used; and

(B) The liquefied petroleum gas provider or the liquefied  
petroleum gas equipment's manufacturer provided a reasonable warning about  
the consequences of misusing the equipment.