

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  
4  
5 By: Senator G. Jeffress  
6  
7

# A Bill

SENATE BILL 206

## For An Act To Be Entitled

9 AN ACT TO REGULATE OIL AND GAS PRODUCTION; TO  
10 LIMIT COMPENSATION FOR SPILL DAMAGES TO THE  
11 SURFACE ESTATE; AND FOR OTHER PURPOSES.  
12

### Subtitle

13 TO REGULATE OIL AND GAS PRODUCTION AND  
14 TO LIMIT COMPENSATION FOR SPILL DAMAGES  
15 TO THE SURFACE ESTATE.  
16  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code § 15-72-213 is amended to read as follows:

22 15-72-213. ~~Surface owner's lien~~ Compensation of surface owners and  
23 surface tenants for damages caused by operator neglect - Restoration of land.  
24 ~~Any surface owner who is damaged or threatened with damage by the~~  
25 ~~neglect of the operator will have a lien upon the fixtures or equipment owned~~  
26 ~~by the operator, with all oil, gas, and other hydrocarbons produced therefrom~~  
27 ~~which may be run to the credit of the operator to secure payment for all~~  
28 ~~damages that can be lawfully recovered under the terms of the oil and gas~~  
29 ~~lease or leases covering the particular property and under which drilling~~  
30 ~~operations are being undertaken by the operator. The lien shall also secure~~  
31 ~~payment for any other damages that the surface owner would be entitled to~~  
32 ~~recover from the operator under the laws of the State of Arkansas.~~

33 (a) A surface owner or surface tenant is entitled to reasonable  
34 compensation not to exceed three (3) times the value of the damaged land from  
35 the operator of an oil or gas well where a spill has occurred and has caused:

36 (1) Damages to growing crops, trees, shrubs, fences, roads,



1 structures, improvements, or livestock; or

2 (2) Measurable damage to the productive capacity of the soil.

3 (b) In addition to any compensation or damages paid by the operator  
4 under subsection (a) of this section, the operator shall restore the damaged  
5 land in accordance with all applicable rules and regulations of the:

6 (1) Arkansas Department of Environmental Quality; and

7 (2) Oil and Gas Commission.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36