

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 87th General Assembly  
3 Regular Session, 2009  
4

*As Engrossed: H3/17/09*

# A Bill

HOUSE BILL 1991

5 By: Representative Davenport  
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## For An Act To Be Entitled

9 AN ACT TO CLARIFY THE NOTICE REQUIREMENTS FOR  
10 PRODUCTION INTEGRATION PROCEEDINGS RELATED TO THE  
11 PRODUCTION AND USE OF OIL AND GAS; AND FOR OTHER  
12 PURPOSES.  
13

### Subtitle

15 TO CLARIFY THE NOTICE REQUIREMENTS FOR  
16 PRODUCTION INTEGRATION PROCEEDINGS  
17 RELATED TO THE PRODUCTION AND USE OF OIL  
18 AND GAS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 15, Chapter 72, Subchapter 3 is amended  
24 to add an additional section to read as follows:

25 15-72-325. Notice requirements for integration of unleased mineral  
26 owners.

27 (a) The purpose of this section is to ensure that owners receive  
28 adequate notice related to a proceeding to integrate production in drilling  
29 units.

30 (b)(1) An unleased mineral owner shall receive due and proper notice  
31 of integration as provided under Rule 4(d) and (e) of the Arkansas Rules of  
32 Civil Procedure.

33 (2) However, instead of using the terminology under Rule (4)(d)  
34 and (e) of the Arkansas Rules of Civil Procedure for the integration notice  
35 document under this subsection (b), the following terminology shall be used:

36 (A) The term "Notice of Integration Hearing" shall be used



1 instead of “Summons and Complaint”; and

2 (B) The term “unleased mineral owner” shall be used  
3 instead of “defendant”.

4 (c)(1) Confirmation of satisfaction of the notice requirements of this  
5 section shall be filed with an integration hearing request or supplemented at  
6 least twenty (20) days before the integration hearing occurs.

7 (2)(A) If an unleased mineral owner is unable to be served,  
8 unable to be located, or refuses service, all documentation shall be  
9 submitted with the integration hearing request or supplemented at least  
10 thirty (30) days before the integration hearing occurs for review and  
11 confirmation by the Oil and Gas Commission.

12 (B) Records submitted under this subsection (c) shall  
13 include documented evidence, including without limitation refusal notices, of  
14 each Notice of Integration Hearing that was refused, unable to be delivered,  
15 or unable to be served upon an unleased mineral owner.

16 (d) This section does not supersede any publication requirements,  
17 diligent efforts, letter mailings, or other requirements under law or rule in  
18 effect as of the effective date of this act related to integration of  
19 unleased mineral owners.

20 (e) If documented evidence is not provided to the Oil and Gas  
21 Commission as required under subdivision (c)(2)(B) of this section, any  
22 elections available before integration shall remain with the unleased mineral  
23 owner without penalty.

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25 /s/ Davenport  
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