

State of Arkansas

As Engrossed: H3/5/25 S4/2/25

95th General Assembly

## A Bill

Regular Session, 2025

HOUSE BILL 1525

By: Representative Steimel

By: Senator Irvin

### For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING REAL PROPERTY; TO  
ADDRESS AGRICULTURAL IMPACT REMEDIATION AGREEMENTS;  
AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW CONCERNING REAL  
PROPERTY; AND TO ADDRESS AGRICULTURAL  
IMPACT REMEDIATION AGREEMENTS.

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

SECTION 1. Arkansas Code Title 18, Chapter 11, is amended to add an  
additional subchapter to read as follows:

#### Subchapter 9 – Agricultural Impact Remediation Agreements

##### 18-11-901. Definitions.

##### As used in this subchapter:

(1) "Agricultural impact remediation agreement" means an  
agreement between a commercial renewable energy facility owner and a  
landowner as described in this subchapter;

(2) "Agricultural land" means a property from which one thousand  
dollars (\$1,000) or more of agricultural products were produced and sold, or  
normally would have been sold, during a given year;

(3) "Commercial renewable energy facility" means a commercial  
wind energy facility or commercial solar energy facility;

(4) "Construction" means the installation, preparation for  
installation, or repair of a commercial renewable energy facility;



1 (5) "Deconstruction" means the removal of a commercial renewable  
2 energy facility from the property of a landowner and the restoration of the  
3 property as provided in an agricultural impact remediation agreement; and

4 (6) "Landowner" means a person:

5 (A) With an ownership interest in property that is used  
6 for agricultural purposes; and

7 (B) Who is a party to an underlying agreement for the  
8 construction of a commercial renewable energy facility on the agricultural  
9 land.

10  
11 18-11-902. Agricultural impact remediation agreement.

12 (a) Before construction of a commercial renewable energy facility on  
13 agricultural land, the commercial renewable energy facility owner shall enter  
14 into an agricultural impact remediation agreement with the respective  
15 landowner.

16 (b) The agricultural impact remediation agreement required under  
17 subsection (a) of this section shall:

18 (1) Outline construction and deconstruction standards to ensure  
19 the restoration of the agricultural land upon the conclusion of the  
20 commercial renewable energy facility;

21 (2)(A) Be completed with a copy provided to the Department of  
22 Agriculture no less than forty-five (45) days before the full notice to  
23 proceed under the construction contract for the commercial renewable energy  
24 facility.

25 (B) An agricultural remediation agreement in the custody  
26 of the department under subdivision (b)(2)(A) of this section is not a public  
27 record and is exempt from examination or disclosure under the Freedom of  
28 Information Act of 1967, § 25-19-101 et seq.;

29 (3) Be binding on a subsequent commercial renewable energy  
30 facility owner or landowner; and

31 (4) Provide the landowner with a comprehensive deconstruction  
32 plan that includes adequate proof of financial mechanisms and assurances.

33 (c) The terms and conditions of the agricultural impact remediation  
34 agreement required under this section may be modified by an underlying  
35 agreement between the landowner and the commercial renewable energy facility  
36 owner.

(d) This subchapter or a term in an agricultural impact remediation agreement shall not be construed to apply to or otherwise impair an underlying agreement for a commercial renewable energy facility entered into before the effective date of this subchapter.

(e) This subchapter shall not apply when the commercial renewable energy facility owner is also the landowner.

/s/Steimel