

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 84th General Assembly  
3 Regular Session, 2003  
4

As Engrossed: H2/13/03

# A Bill

HOUSE BILL 1356

5 By: Representatives Sullivan, Bennett, Bolin, Cowling, Dickinson, D. Evans, L. Evans, Hathorn,  
6 Hickinbotham, Mack, Milligan, Oglesby, Pate, L. Prater, Jeffrey, Scroggin, Stovall, Thomas, Thomason,  
7 Verkamp, Walters, Weaver, Scrimshire  
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## For An Act To Be Entitled

11 AN ACT TO PROTECT LIVESTOCK AND POULTRY PRODUCERS  
12 FROM UNFAIR REBUILDING COSTS AFTER NATURAL  
13 DISASTERS; AND FOR OTHER PURPOSES.  
14

### Subtitle

16 AN ACT TO PROTECT LIVESTOCK AND POULTRY  
17 PRODUCERS FROM UNFAIR REBUILDING COSTS  
18 AFTER NATURAL DISASTERS.  
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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 2, Chapter 1, Subchapter 1 is amended  
24 to add an additional section to read as follows:

25 2-1-102. Contracts - natural disasters.

26 (a)(1) In all agricultural contracts between a contractor and a  
27 producer, except contracts covering agricultural facilities that are more  
28 than twenty (20) years old, the contractor shall permit the producer to  
29 rebuild to the same standard as before the disaster, an agricultural facility  
30 damaged or destroyed by a natural disaster.

31 (2) The producer may use:

32 (A) Any salvage material that is of reasonable quality;

33 and

34 (B) Any foundations, footings, pads, or locations not  
35 damaged beyond repair.

36 (b) For purposes of this section:



1           (1) "Agricultural contract" means any written contract between a  
2 contractor and a producer;

3           (2) "Agricultural facility" means, but is not limited to, any plant,  
4 facility, structure, or establishment used for the feeding, growing,  
5 production, holding, processing, storage, or distribution for commercial  
6 purposes of livestock, poultry, swine, or products derived from any of them;

7           (3) "Contractor" means a person who in the ordinary course of business  
8 buys agricultural commodities grown or raised in this state or who contracts  
9 with a producer to grow or raise agricultural commodities in this state; and

10           (4) "Producer" means a person who produces or causes to be produced  
11 livestock or poultry or both in a quantity beyond the person's own family use  
12 and:

13                   (A) Is able to transfer title to another; or

14                   (B) Provides management, labor, machinery, facilities, or any  
15 other production input for the production of an agricultural commodity.

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17                                   */s/ Sullivan, et al*  
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