

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1397

By: Representative Leding

For An Act To Be Entitled

AN ACT TO AMEND THE PETROLEUM STORAGE TANK TRUST FUND ACT; TO CLARIFY THE LAW REGARDING THE PAYMENT OF CONSULTANTS FOR THE PURCHASE OF EQUIPMENT NEEDED TO UNDERTAKE CORRECTIVE ACTION; TO PROVIDE THAT A TRANSFER DOES NOT AFFECT POTENTIAL LIABILITY FOR THE PAYMENT OF DAMAGES TO A THIRD PARTY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE PETROLEUM STORAGE TANK TRUST FUND ACT.

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

SECTION 1. Arkansas Code § 8-7-905(d), concerning the purposes for which funds in the Petroleum Storage Tank Trust Fund may be expended, is amended to add an additional subdivision to read as follows:

(6) To reimburse a consultant under § 8-7-907(k) for the purchase of equipment needed to undertake corrective action.

SECTION 2. Arkansas Code § 8-7-907(k)(3), concerning payments to consultants for purchasing equipment needed to undertake corrective action, is amended to read as follows:

(3) The eligibility for payment of a consultant ~~shall apply~~ applies only to ~~subdivision (k)(1) of this section~~ this subsection.

SECTION 3. Arkansas Code § 8-7-908(h)(2), concerning the transfer of



eligibility for payment of third-party claims, is amended to read as follows:

(2) A transfer under subdivision (h)(1) of this section ~~shall~~
does not affect the potential liability of the owner or operator for
~~undertaking any required corrective action~~ payment of compensatory damages to
a third party.