

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 325

By: Senator D. Wallace
By: Representatives Milligan, Joey Carr

For An Act To Be Entitled

AN ACT TO AMEND THE UTILITY FACILITY ENVIRONMENTAL AND ECONOMIC PROTECTION ACT; TO ADD CERTAIN GAS PIPELINE FACILITIES AS AN EXEMPTION UNDER THE UTILITY FACILITY ENVIRONMENTAL AND ECONOMIC PROTECTION ACT; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO ADD CERTAIN GAS PIPELINE FACILITIES AS AN EXEMPTION UNDER THE UTILITY FACILITY ENVIRONMENTAL AND ECONOMIC PROTECTION ACT; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 23-18-504(a), concerning exemptions under the Utility Facility Environmental and Economic Protection Act, is amended to add an additional subdivision to read as follows:

(6) That is a gas pipeline:

(A) Constructed:

(i) Primarily for serving a single customer or a group of customers; and

(ii) Entirely on land:

(a) Owned by the customer or group of customers to be served; or

(b) Leased by the customer or group of customers to be served if the lease is entered to facilitate the issuance of



bonds under § 14-164-201 et seq. through § 14-164-801 et seq.; and

(B) Under common ownership or control of the customer or group of customers.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the inflation rate is high, with the consumer price index for all items increasing six and five-tenths percent (6.5%) and food items increasing ten and four-tenths percent (10.4%) over the last twelve (12) months according to the United States Bureau of Labor Statistics; that many Arkansans are in need of jobs in this economy; and that this act is immediately necessary because commencement of construction on pipelines will make jobs available to the people of Arkansas. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.