

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
95th General Assembly  
Regular Session, 2025

# A Bill

HOUSE BILL 1892

By: Representative Ladyman

By: Senator C. Penzo

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING ENERGY; TO  
REGULATE NONEXPORT FACILITIES; TO PROHIBIT  
DISCRIMINATION AGAINST NONEXPORT FACILITIES; AND FOR  
OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING ENERGY; TO  
REGULATE NONEXPORT FACILITIES; AND TO  
PROHIBIT DISCRIMINATION AGAINST  
NONEXPORT FACILITIES.

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

SECTION 1. Arkansas Code § 23-4-202, concerning customer billing and statements for water, gas, or electricity, is amended to add an additional subsection to read as follows:

(d) Rates for sales of electricity by a public utility furnishing electricity to the general public in this state shall not discriminate against a customer that owns or operates a nonexport facility as defined in § 23-18-111 in comparison to rates for sales to other customers served by the electric utility.

SECTION 2. Arkansas Code Title 23, Chapter 18, Subchapter 1, is amended to add an additional section to read as follows:

23-18-111. Nonexport facility – Definition – Rules.

(a) As used in this section, "nonexport facility" means a facility for the production of electrical energy to meet all or part of a customer's need



for electrical energy within a single electric utility's allocated service territory that does not intentionally feed electricity back to the electric utility.

(b)(1) On or before December 31, 2025, following notice, opportunity for public comment, and a hearing, the Arkansas Public Service Commission shall promulgate appropriate rules for a nonexport facility.

(2) The rules promulgated under subdivision (b)(1) of this section shall include without limitation:

(A) Standards for the safe, reliable, and acceptable operation of a nonexport facility, including:

(i) Thermal, service voltage, power quality, or network limits associated with inadvertent export events; and

(ii) Acceptable methods of export limitation, including:

(a) Power control systems;

(b) Reverse power protection; and

(c) Minimum power protection; and

(B) An expedited review process for:

(i) Evaluating and approving acceptable export control methods and requirements for a nonexport facility; and

(ii) Interconnection.

SECTION 3. Arkansas Code § 23-18-603(9), concerning the definition of "net-metering facility" used under the Arkansas Cost-Shifting Prevention Act of 2023, is amended to add an additional subdivision to read as follows:

(G) Does not include a nonexport facility as defined in § 23-18-111.