

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

SENATE BILL 452

By: Senator B. King

For An Act To Be Entitled

AN ACT CONCERNING CERTAIN CONTRACTS FOR MAINTENANCE
OR RECYCLING OF WIND TURBINES UNDER CERTAIN
CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING CERTAIN CONTRACTS FOR
MAINTENANCE OR RECYCLING OF WIND
TURBINES UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Arkansas Code Title 4, Chapter 75, is amended to add an additional subchapter to read as follows:

Subchapter 15 – Contracts Involving Maintenance or Recycling of Wind Turbines

4-75-1501. Purpose.

The purpose of this subchapter is to ensure that a contract between an entity and a property owner contains a provision addressing the maintenance and recycling of a wind turbine.

4-75-1502. Definitions.

(a) As used in this subchapter:

(1) "Maintenance" means the machinery or equipment used to keep an existing wind turbine in a condition that approaches or equates to the wind turbine's original condition;

(2) "Recycling" means the collection, decontamination, and return of materials used to construct, maintain, and deconstruct a wind



turbine; and

(3)(A) "Wind turbine" means an apparatus over two hundred feet (200') that is used to convert the kinetic energy of wind into electricity.

(B) "Wind turbine" includes a turbine, blade, tower, base, and pad transformer, if any.

4-75-1503. Maintenance and recycling wind turbines.

(a) On and after January 1, 2026, a contract between an entity and an owner of real property for the installation of a wind turbine on real property in this state is required to include a provision that addresses:

(1) The proper maintenance and recycling of a wind turbine; and

(2) The disposition of the wind turbine if the entity installing or maintaining the wind turbine is dissolved, declares bankruptcy, or is no longer able to maintain the wind turbine.

(b) An entity shall agree to assume joint and several liability for any damages, interest, and penalties that accrue on the part of the owner of real property for failure to properly maintain and recycle a wind turbine or to dispose of the wind turbine if the entity is dissolved, declares bankruptcy, or is no longer able to maintain the wind turbine as part of the consideration for the contract described under subsection (a) of this section.

4-75-1504. Enforcement.

(a) A violation of this subchapter shall constitute an unfair or deceptive act or practice as defined by the Deceptive Trade Practices Act, § 4-88-101 et seq.

(b) All remedies, penalties, and authority granted to the Attorney General under the Deceptive Trade Practices Act, § 4-88-101 et seq., shall be available to the Attorney General for the enforcement of this subchapter.