

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

As Engrossed: S3/7/23

# A Bill

SENATE BILL 333

5 By: Senator D. Wallace  
6 By: Representatives Milligan, Joey Carr  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE UTILITY FACILITY ENVIRONMENTAL  
10 AND ECONOMIC PROTECTION ACT; TO ADD CERTAIN GAS  
11 PIPELINE FACILITIES AS AN EXEMPTION UNDER THE UTILITY  
12 FACILITY ENVIRONMENTAL AND ECONOMIC PROTECTION ACT;  
13 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
14

## Subtitle

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16 TO ADD CERTAIN GAS PIPELINE FACILITIES AS  
17 AN EXEMPTION UNDER THE UTILITY FACILITY  
18 ENVIRONMENTAL AND ECONOMIC PROTECTION  
19 ACT; AND TO DECLARE AN EMERGENCY.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code § 23-18-504(a), concerning exemptions under  
26 the Utility Facility Environmental and Economic Protection Act, is amended to  
27 add an additional subdivision to read as follows:

28 (6) That is a gas pipeline of less than five (5) miles in length  
29 constructed:

30 (A) Primarily for serving a single customer or a group of  
31 customers that is under common ownership or control;

32 (B) For use by the customer or group of customers that  
33 have entered into a lease to facilitate the issuance of bonds under Title 14,  
34 Chapter 164 of this Code; and

35 (C) Entirely on land:

36 (i) Owned by the customer or group of customers to



1 be served; or

2 (ii) Leased by the customer or group of customers to

3 be served.

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

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

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

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

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23 /s/D. Wallace

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26 **APPROVED: 3/21/23**