

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: H3/5/25

A Bill

HOUSE BILL 1525

5 By: Representative Steimel
6 By: Senator Irvin
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING REAL PROPERTY; TO
10 ADDRESS AGRICULTURAL IMPACT REMEDIATION AGREEMENTS;
11 AND FOR OTHER PURPOSES.
12
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Subtitle

15 TO AMEND THE LAW CONCERNING REAL
16 PROPERTY; AND TO ADDRESS AGRICULTURAL
17 IMPACT REMEDIATION AGREEMENTS.
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 18, Chapter 11, is amended to add an
22 additional subchapter to read as follows:

Subchapter 9 – Agricultural Impact Remediation Agreements

18-11-901. Definitions.

As used in this subchapter:

27 (1) "Agricultural impact remediation agreement" means an
28 agreement between a commercial renewable energy facility owner and a
29 landowner as described in this subchapter;

30 (2) "Agricultural land" means a property from which one thousand
31 dollars (\$1,000) or more of agricultural products were produced and sold, or
32 normally would have been sold, during a given year;

33 (3) "Commercial renewable energy facility" means a commercial
34 wind energy facility or commercial solar energy facility;

35 (4) "Construction" means the installation, preparation for
36 installation, or repair of a commercial renewable energy facility;



1 (5) "Deconstruction" means the removal of a commercial renewable
2 energy facility from the property of a landowner and the restoration of the
3 property as provided in an agricultural impact remediation agreement; and

4 (6) "Landowner" means a person:

5 (A) With an ownership interest in property that is used
6 for agricultural purposes; and

7 (B) Who is a party to an underlying agreement for the
8 construction of a commercial renewable energy facility on the agricultural
9 land.

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11 18-11-902. Agricultural impact remediation agreement.

12 (a) Before construction of a commercial renewable energy facility on
13 agricultural land, the commercial renewable energy facility owner shall enter
14 into an agricultural impact remediation agreement with the respective
15 landowner.

16 (b) The agricultural impact remediation agreement required under
17 subsection (a) of this section shall:

18 (1) Outline construction and deconstruction standards to ensure
19 the restoration of the agricultural land upon the conclusion of the
20 commercial renewable energy facility;

21 (2)(A) Be completed with a copy provided to the Department of
22 Agriculture no less than forty-five (45) days before the full notice to
23 proceed under the construction contract for the commercial renewable energy
24 facility.

25 (B) An agricultural remediation agreement in the custody
26 of the department under subdivision (b)(2)(A) of this section is not a public
27 record and is exempt from examination or disclosure under the Freedom of
28 Information Act of 1967, § 25-19-101 et seq.;

29 (3) Be binding on a subsequent commercial renewable energy
30 facility owner or landowner; and

31 (4) Provide the landowner with a comprehensive deconstruction
32 plan that includes adequate financial mechanisms and assurances.

33 (c) The terms and conditions of the agricultural impact remediation
34 agreement required under this section may be modified by an underlying
35 agreement between the landowner and the commercial renewable energy facility
36 owner.

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(d) This subchapter or a term in an agricultural impact remediation agreement shall not be construed to apply to or otherwise impair an underlying agreement for a commercial renewable energy facility entered into before the effective date of this subchapter.

(e) This subchapter shall not apply when the commercial renewable energy facility owner is also the landowner.

/s/Steimel