

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

A Bill

SENATE BILL 452

4
5 By: Senator B. King
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For An Act To Be Entitled

8
9 AN ACT CONCERNING CERTAIN CONTRACTS FOR MAINTENANCE
10 OR RECYCLING OF WIND TURBINES UNDER CERTAIN
11 CIRCUMSTANCES; AND FOR OTHER PURPOSES.
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Subtitle

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15 CONCERNING CERTAIN CONTRACTS FOR
16 MAINTENANCE OR RECYCLING OF WIND
17 TURBINES UNDER CERTAIN CIRCUMSTANCES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 4, Chapter 75, is amended to add an
22 additional subchapter to read as follows:

23 Subchapter 15 – Contracts Involving Maintenance or Recycling of Wind Turbines
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25 4-75-1501. Purpose.

26 The purpose of this subchapter is to ensure that a contract between an
27 entity and a property owner contains a provision addressing the maintenance
28 and recycling of a wind turbine.
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30 4-75-1502. Definitions.

31 (a) As used in this subchapter:

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

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



1 turbine; and

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

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

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7 4-75-1503. Maintenance and recycling wind turbines.

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

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

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

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

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23 4-75-1504. Enforcement.

24 (a) A violation of this subchapter shall constitute an unfair or
25 deceptive act or practice as defined by the Deceptive Trade Practices Act, §
26 4-88-101 et seq.

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

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