## Stricken language would be deleted from and underlined language would be added to present law. Act 1299 of the Regular Session

1	State of Arkansas	As Engrossed:	H3/28/13 S4/5/13			
2	89th General Assembly		A Bill			
3	Regular Session, 2013			HOUSE BILL 2001		
4						
5	By: Representatives Leding, Lenderman, D. Douglas, J. Edwards, Gillam, D. Meeks, Sabin, Wren, Wright					
6	By: Senators Rapert, Irvin, Caldwell, D. Wyatt, Elliott					
7		<b></b>	<b>E. D. E.</b> (14)			
8	For An Act To Be Entitled					
9	AN ACT TO CREATE THE LANDOWNER NOTIFICATION ACT; AND					
10	FOR OTHER PURPOSES.					
11						
12		C	1.444			
13	Subtitle					
14	THE LANDOWNER NOTIFICATION ACT.					
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16						
17	BE IT ENACTED BY THE	GENERAL ASSEMBLY	OF THE STATE OF AR	KANSAS:		
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19	SECTION 1. DO NOT CODIFY. <u>Title.</u>					
20	This act shall be known and may be cited as the "Landowner Notification"					
21	<u>Act".</u>					
22	GEOTTON O. A. 1	0.1.0.15	70 000			
23	SECTION 2. Arkansas Code § 15-72-203, concerning prerequisites to					
24	exploring or drilling and notice to the surface owner, is amended to add additional subsections to read as follows:					
25				estiona" moona		
26			<u>ection, "shale oper</u>			
27 28	drilling activities relating to the production of gas and other petroleum					
20 29	hydrocarbons directed at an unconventional shale gas formation in a county					
30	listed in Arkansas Oil and Gas Commission Rule B-43(c) or (d) if entry upon					
31	the surface owner's surface estate is required and the drilling activities					
32	are conducted on or after the effective date of this act.					
33	(i) The periodic inspection maintenance or repair					
34	(i) The periodic inspection, maintenance, or repair of completion activities;					
35	(ii) Preparatory activities such as inspection,					
36	surveving, or staking	_		<u></u>		

1	(iii) Drilling additional wells, redrilling, or		
2	recompletion operations on an existing drilling pad if the operator does not		
3	expand the existing pad.		
4	(2) The Arkansas Oil and Gas Commission shall promulgate rules,		
5	regulations, and orders consistent with this section to require an operator		
6	intending to conduct shale operations to provide a single enhanced written		
7	notice as described in subdivision (c)(3) of this section in lieu of the		
8	written notice required under subsection (a) of this section.		
9	(3) The rules, regulations, and orders of the commission shall		
10	require the enhanced written notice to:		
11	(A) Describe:		
12	(i) The proposed shale operations; and		
13	(ii) The location of the proposed well and the pad		
14	location, including the section, township, range, and plat of the pad		
15	location, if available;		
16	(B) Be given to the surface owner at least fourteen (14)		
17	days before the operator proposes to begin shale operations on the surface		
18	owner's property;		
19	(C) Contain a statement that the operator has a pending or		
20	approved drilling permit for the proposed shale operations on the surface		
21	owner's property and that the permit shall be available for inspection by the		
22	surface owner on request by the surface owner;		
23	(D) Contain the name, address, telephone number, fax		
24	number, and electronic mailing address of the operator or the operator's		
25	agent; and		
26	(E) Be sent by certified United States mail or delivered		
27	personally to the surface owner at the address of the surface owner stated in		
28	the public records of the county collector of the county in which the surface		
29	owner's property is located.		
30	(4) After written notice of the operator's intent to begin shale		
31	operations is given under this subsection, an operator is not required to		
32	give any other notice to begin, conduct, or complete shale operations on the		
33	surface owner's property.		
34	(5) Written notice under this subsection is:		
35	(A) Presumed delivered three (3) days after mailing by		
36	certified mail;		

1	(B) Effective immediately upon hand delivery;			
2	(C) Not required for emergency situations in which the			
3	shale operations are required to protect the public health and safety or the			
4	environment; and			
5	(D) Not required if a surface owner has a contractual			
6	relationship with an operator that specifies when or how the operator shall			
7	give notice regarding the beginning of shale operations.			
8	(6) After receipt of a written notice of the operator's intent			
9	to begin shale operations under this subsection, the surface owner shall not			
10	make alterations to a proposed drilling location to interfere with the shale			
11	operations for which the surface owner received the notice.			
12	(d) This section does not supersede, modify, or supplant the notice			
13	provisions of Rule B-42 of the commission.			
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15	/s/Leding			
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18	APPROVED: 04/16/2013			
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