

State of Arkansas

As Engrossed: H2/14/03 H2/21/03

84th General Assembly
Regular Session, 2003**A Bill****Act 769 of 2003**
HOUSE BILL 1389

By: Representatives Ormond, Adams, Berry, Bolin, Boyd, Dangeau, Edwards, D. Evans, Gipson, Jacobs, Jeffrey, King, Mack, Medley, Milligan, Pate, Pickett, L. Prater, S. Prater, Roebuck, Schulte, Scroggin, J. Taylor, Thomas, Verkamp, Walters

For An Act To Be Entitled

AN ACT TO PROVIDE A PROCEDURE TO HELP COLLECT DELINQUENT MUNICIPAL, COUNTY, DISTRICT, OR RURAL WATER BILLS; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE A PROCEDURE TO HELP COLLECT DELINQUENT MUNICIPAL, COUNTY, DISTRICT, OR RURAL WATER BILLS.

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

SECTION 1. For purposes of this act:

(1) "Water association" means any corporation, whether for profit or not for profit, that provides, distributes, transmits, treats, pumps, or stores raw or potable water to, or for the benefit of, members of the general public or commercial, industrial, and other users; and

(2) "Water system" means any entity that provides, distributes, transmits, treats, pumps, or stores raw or potable water to or for the benefit of members of the general public and commercial, industrial, and other users, including, without limitation, the following entities that perform such activities:

- (A) Municipalities;*
- (B) Counties;*
- (C) Public facilities boards;*
- (D) Public water authorities;*
- (E) Central Arkansas Water;*
- (F) Regional water distribution districts; and*
- (G) Water associations.*

SECTION 2. Any person who is delinquent on the payment for water provided by a water system may be held liable.

at the court's discretion, for attorney's fees and costs incurred in the collection of the delinquency.

SECTION 3. When a person who is delinquent on the payment of an undisputed bill for water service provided by a water system within this state, moves into another area of this state, and that person applies for or receives water from another water system, if the person's former water system establishes that there is no dispute that the delinquent amount is properly due and owed by that particular individual in that amount, the new water system shall refuse to provide water service to the delinquent person until the person provides proof of curing the delinquency.

SECTION 4. No provision of this act shall apply to a water system that is regulated by the Arkansas Public Service Commission as a "public utility" as provided in Arkansas Code § 23-1-101(9).

/s/ Ormond, et al

APPROVED: BECAME LAW ON 3/27/2003, WITHOUT THE GOVERNOR'S SIGNATURE.

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H2/15/11 S2/28/11

A Bill

HOUSE BILL 1351

5 By: Representative Dale
6 By: Senator Salmon
7

For An Act To Be Entitled

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9 AN ACT TO AUTHORIZE A PUBLIC WATER SYSTEM TO
10 TERMINATE WATER SERVICE FOR DELINQUENT WATER,
11 WASTEWATER, OR SEWER SERVICE PAYMENT; AND FOR OTHER
12 PURPOSES.
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Subtitle

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16 TO AUTHORIZE A PUBLIC WATER SYSTEM TO
17 TERMINATE WATER SERVICE FOR DELINQUENT
18 WATER, WASTEWATER, OR SEWER SERVICE
19 PAYMENT.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Title 14, Chapter 234, Subchapter 6, is
25 amended to add an additional section to read as follows:

26 14-234-605. Termination of water service for delinquency.

27 A public water system that is not otherwise regulated by a municipality
28 or municipal improvement district may terminate water service to a water user
29 when the water user:

30 (1) Is more than twenty-five (25) days past the earliest due
31 date shown on the face of the bill in making a payment for water, wastewater,
32 or sewer service to the public water system or other public entity; and

33 (2) Has been sent notice via the United States Postal Service to
34 an address provided by the water user that service will be terminated in no
35 less than fifteen (15) days from date of mailing if the balance due on the
36 service and any applicable late fees are not paid.



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/s/Dale