

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representative Mitchell**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO PROVIDE THAT THE DEPARTMENT OF HEALTH MAY  
9 CHARGE A FEE FOR THE MAPPING OF PROPERTY FOR THE PURPOSE  
10 OF DETERMINING SOIL SUITABILITY AS IT PERTAINS TO SEWAGE  
11 DISPOSAL; AND FOR OTHER PURPOSES."

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

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15 SECTION 1. As used in this act:

- 16 (1) "Department" means the Arkansas Department of Health;  
17 (2) "Mapping" means describing the differences in soil morphology on  
18 property for the purpose of evaluating that property for sewage disposal;  
19 (3) "Person" means any institution, public or private corporation,  
20 individual, partnership or other entity.

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22 SECTION 2. (a) In lieu of the provisions required under the Arkansas  
23 Sewage Disposal Systems Act (Ark. Code Ann. §14-236-101 et seq.), a person may  
24 request the department to map a proposed subdivision or individual property  
25 for the purpose of determining soil suitability as it pertains to sewage  
26 disposal.

27 (b) The department may collect a fee of not more than seventy-five  
28 dollars (\$75.00) per acre for mapping services. The fee for lots less than  
29 one (1) acre shall be seventy-five dollars (\$75.00).

30 (c) (1) All fees collected under this act shall be deposited in the State  
31 Treasury and credited to the Public Health Fund for the purpose of defraying  
32 the cost of personnel, training of personnel, and inspection programs  
33 necessary to carry out the provisions of this act.

34 (2) The unexpended balance of the funds received from the  
35 collection of fees at the end of each fiscal year shall not be considered as a

1 part of the unexpended fund balances of the department that are recovered by  
2 the State Treasurer at the close of each year, and any such balance shall be  
3 carried forward to the next fiscal year.

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5 SECTION 3. All provisions of this act of a general and permanent nature  
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
7 Revision Commission shall incorporate the same in the Code.

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9 SECTION 4. If any provision of this act or the application thereof to  
10 any person or circumstance is held invalid, such invalidity shall not affect  
11 other provisions or applications of the act which can be given effect without  
12 the invalid provision or application, and to this end the provisions of this  
13 act are declared to be severable.

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15 SECTION 5. All laws and parts of laws in conflict with this act are  
16 hereby repealed.

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