

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

A Bill

SENATE BILL 45

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 14, CHAPTER 236,
9 SUBCHAPTER 1 TO ADD A NEW SECTION TO REQUIRE THAT BEFORE
10 ELECTRIC SERVICE IS CONNECTED TO A NEW BUILDING OR NEW
11 RESIDENCE IN AN AREA NOT SERVED BY A SEWER THE OWNER MUST
12 SHOW THAT PLANS FOR A SEWAGE DISPOSAL FACILITY HAS BEEN
13 APPROVED OR ARE NOT REQUIRED; AND FOR OTHER PURPOSES."

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

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17 SECTION 1. Purpose. It is found and determined by the General Assembly
18 that many property owners have had to replace inadequate sewage disposal
19 facilities; that much of the expense could have been avoided if the facility
20 had been inspected and permitted as required by law; that inadequately
21 installed facilities can cause damage to the environment and to the health of
22 the citizens of this state; and that additional safeguards are needed to
23 prevent the installation of inadequate facilities. Therefore, it is the
24 purpose of this act to establish additional safeguards to protect clean waters
25 of the state, to protect the public from disease, and to help property owners
26 avoid unnecessary expenses that would be incurred if improper sewage disposal
27 facilities are installed.

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29 SECTION 2. Arkansas Code Title 14, Chapter 236, Subchapter 1 is amended
30 to add the following new section:

31 "14-236-119. (a) No electric utility shall provide service to a newly
32 constructed building or residence in an area which is not served by a
33 publicly owned sewer system until the customer provides written documentation
34 to the electric utility that the Arkansas Department of Health has approved
35 plans for construction of a sewage disposal facility for the building or

1 residence or that no disposal system is required by the Arkansas Department of
2 Health for the building.

3 (b) An electric utility found guilty of violating this section shall be
4 fined an amount not to exceed five hundred dollars (\$500)."

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

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

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

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20 /s/Dowd

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