

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Goodwin**

# A Bill

**HOUSE BILL 2028**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE §§ 20-28-104 AND 105 TO  
9 AUTHORIZE THE STATE BOARD OF HEALTH TO SET THE ANNUAL FEES  
10 FOR PUBLIC WATER SYSTEMS TO NO MORE THAN TWENTY-FIVE CENTS  
11 PER SERVICE CONNECTION; AND FOR OTHER PURPOSES."

## Subtitle

14 "TO AMEND ARKANSAS CODE §§ 20-28-104 AND 105 TO AUTHORIZE  
15 THE STATE BOARD OF HEALTH TO SET THE ANNUAL FEES FOR  
16 PUBLIC WATER SYSTEMS TO NO MORE THAN TWENTY-FIVE CENTS PER  
17 SERVICE CONNECTION."

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

21 SECTION 1. Arkansas Code §§ 20-28-104 and 105 are amended to read as  
22 follows:

23 "20-28-104. Annual fees - Exceptions.

24 (a) The Department of Health is authorized to collect the following  
25 annual fees from each public water system for service provided, other than  
26 plan reviews, by the public water system supervision program:

27 (1) Community water systems and nontransient noncommunity water  
28 systems: not more than twenty-five cents (25¢) per service connection per  
29 month;

30 (2) Noncommunity: one hundred dollars (\$100);

31 (3) The minimum fee charged to a community water system or a  
32 nontransient noncommunity water system is two hundred dollars (\$200) per year;

33 (4) The number of service connections for non-transient noncommunity  
34 water systems shall be calculated by dividing the population served by two and  
35 one-half (2.5);

1           (5) The number of service connections for community public water  
2 systems not serving discrete service connections shall be calculated by  
3 dividing the population served by two and one-half (2.5).

4           (b) The number of service connections or population served shall be  
5 taken from the Department of Health's public water system inventory at the  
6 time of billing.

7           (c)(1) New water systems will not be assessed a fee for services until  
8 water is supplied to the first connection.

9           (2) All state-owned noncommunity water systems are exempt from the fee  
10 provisions of this chapter.

11           (d) The fee shall be established by the State Board of Health to assure  
12 implementation of the Public Water System Service Act.

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14           20-28-105. Payment of fees.

15           (a) All fees payable under this chapter shall be due according to the  
16 following schedule and shall be payable to the Department of Health:

17           (1) Annual fees of one thousand dollars (\$1,000) and less shall be  
18 payable in a single payment due on January 1 of each year;

19           (2) Annual fees greater than one thousand dollars (\$1,000) and less  
20 than five thousand dollars (\$5,000) shall be payable in quarterly payments,  
21 with the payments due on October 1, January 1, April 1, and July 1 of each  
22 year;

23           (3) Annual fees of five thousand dollars (\$5,000) and greater shall be  
24 payable in monthly payments with the first payment due on August 1 of each  
25 year. Successive payments shall be due on the first day of each month.

26           (b) All water systems issuing regular water bills for water service may  
27 recover the cost of the fees stated in §20-28-104 by one (1) of the following  
28 methods:

29           (1) Assessing a direct charge on each bill of not more than twenty-five  
30 cents (25¢) per month per service connection; or

31           (2) Apportioning the total amount of the annual fee charged to the  
32 water system among its customers in any manner that the water system  
33 determines to be more equitable; provided, however, that no charge in excess  
34 of not more than twenty-five cents (25¢) per month per service shall be  
35 charged for any service through which water is provided to another community

1 public water system.

2 (c) The charge shall be labeled "FEE FOR FEDERAL SAFE DRINKING WATER  
3 ACT COMPLIANCE" and shall not be considered as a part of the water rates of  
4 the respective water systems. The fee shall be established by the State Board  
5 of Health to assure implementation of the Public Water System Service Act."

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7 SECTION 2. All provisions of this act of a general and permanent nature  
8 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
9 Revision Commission shall incorporate the same in the Code.

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11 SECTION 3. If any provision of this act or the application thereof to  
12 any person or circumstance is held invalid, such invalidity shall not affect  
13 other provisions or applications of the act which can be given effect without  
14 the invalid provision or application, and to this end the provisions of this  
15 act are declared to be severable.

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17 SECTION 4. All laws and parts of laws in conflict with this act are  
18 hereby repealed.

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20 SECTION 5. *Emergency. Not adopted.*

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22 /s/Rep. Goodwin

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***As Engrossed: 3/17/93***

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