

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

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

# A Bill

HOUSE BILL 1389

5 By: Representatives Ormond, Adams, Berry, Bolin, Boyd, Dangeau, Edwards, D. Evans, Gipson, Jacobs,  
6 Jeffrey, King, Mack, Medley, Milligan, Pate, Pickett, L. Prater, S. Prater, Roebuck, Schulte, Scroggin, J.  
7 Taylor, Thomas, Verkamp, Walters  
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## For An Act To Be Entitled

11 AN ACT TO PROVIDE A PROCEDURE TO HELP COLLECT  
12 DELINQUENT MUNICIPAL, COUNTY, DISTRICT, OR RURAL  
13 WATER BILLS; AND FOR OTHER PURPOSES.  
14

### Subtitle

15 TO PROVIDE A PROCEDURE TO HELP COLLECT  
16 DELINQUENT MUNICIPAL, COUNTY, DISTRICT,  
17 OR RURAL WATER BILLS.  
18  
19  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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#### SECTION 1. For purposes of this act:

23 (1) "Water association" means any corporation, whether for  
24 profit or not for profit, that provides, distributes, transmits, treats,  
25 pumps, or stores raw or potable water to, or for the benefit of, members of  
26 the general public or commercial, industrial, and other users; and  
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28 (2) "Water system" means any entity that provides, distributes,  
29 transmits, treats, pumps, or stores raw or potable water to or for the  
30 benefit of members of the general public and commercial, industrial, and  
31 other users, including, without limitation, the following entities that  
32 perform such activities:

33 (A) Municipalities;

34 (B) Counties;

35 (C) Public facilities boards;

36 (D) Public water authorities;



- 1                   (E) Central Arkansas Water;
- 2                   (F) Regional water distribution districts; and
- 3                   (G) Water associations.

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5           SECTION 2. Any person who is delinquent on the payment for water  
6 provided by a water system may be held liable, at the court's discretion, for  
7 attorney's fees and costs incurred in the collection of the delinquency.

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

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

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22   /s/ Ormond, et al

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