

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015

A Bill

SENATE BILL 762

4
5 By: Senator A. Clark

For An Act To Be Entitled

8 AN ACT TO REQUIRE WATER PROVIDERS TO EXTEND WATER
9 SERVICE TO NONRESIDENT CONSUMERS AND PROPERTY OWNERS;
10 AND FOR OTHER PURPOSES.

Subtitle

14 TO REQUIRE WATER PROVIDERS TO EXTEND
15 WATER SERVICE TO NONRESIDENT CONSUMERS
16 AND PROPERTY OWNERS.

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

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21 SECTION 1. Arkansas Code Title 14, Chapter 229, Subchapter 1, is
22 amended to add an additional section to read as follows:

23 14-229-105. Water providers – Services to nonresident property owners
24 or consumers.

25 (a)(1) A water provider in this state shall provide services to a
26 nonresident property owner or consumer whose property lies within the water
27 provider-accepted service area if requested by the nonresident property owner
28 or consumer, except as provided under this section.

29 (2) A water provider shall supply the same amount of water and
30 water pressure to resident property owners or consumers and nonresident
31 property owners or consumers if infrastructure exists to do so, but a water
32 provider is not obligated to increase the number or size of, or change the
33 location of, mains or pipes outside its boundaries.

34 (3)(A) Water shall be supplied to resident property owners or
35 consumers and nonresident property owners or consumers at rates the water
36 provider deems just and reasonable.



1 (B)(i) A water provider may establish separate rate
2 classifications for resident property owners or consumers and nonresident
3 property owners or consumers with reasonable justification.

4 (ii) The water provider shall treat all property
5 owners or consumers within a rate classification equally.

6 (b)(1) A water provider shall provide services to a nonresident
7 property owner or consumer at the request of the nonresident property owner
8 or consumer if:

9 (A) The nonresident property owner or consumer does not
10 have access to any other water service;

11 (B) The nonresident property owner or consumer resides in
12 a water improvement district that:

13 (i) Has installed water lines or other
14 infrastructure; and

15 (ii) Has deeded the infrastructure to the water
16 provider, and the water provider has accepted the infrastructure with no
17 requirement for annexation;

18 (C) Infrastructure to supply services exists at the time
19 of the request; and

20 (D) The nonresident property owner or consumer provides
21 any necessary pipes or structures to access the water provider
22 infrastructure.

23 (2) Resident property owners or consumers and nonresident
24 property owners or consumers who seek water or receive water service for
25 agricultural, developmental, or industrial purposes shall be treated equally
26 in relation to any water conservation measures.

27 (c) Except for emergency measures established by rule and promulgated
28 by the Department of Health, a water provider shall treat all property owners
29 and consumers equally in terms of service, including without limitation:

30 (1) The provision of water; and

31 (2) The availability of new service.

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