

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

A Bill

ACT 903 OF 1993
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);

36 (5) The number of service connections for community public water

1 systems not serving discrete service connections shall be calculated by
2 dividing the population served by two and one-half (2.5).

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

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

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

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

12

13 20-28-105. Payment of fees.

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

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

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

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

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

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

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

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

6 SECTION 2. 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.
9

10 SECTION 3. 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.
15

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

19 SECTION 5. *Emergency. Not adopted.*
20

21 /s/Rep. Goodwin
22

23 APPROVED: 4/6/93
24
25
26
27
28
29
30
31
32
33
34
35

