

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Representative Goodwin**

# A Bill

**ACT 787 OF 1995**  
**HOUSE BILL 1890**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 17-44-102 TO STANDARDIZE  
9 ENFORCEMENT PROCEDURES AND PENALTIES BETWEEN SECTIONS OF  
10 THE STATE\_S PUBLIC HEALTH CODE BY ADDING CIVIL PENALTY  
11 AUTHORITY TO THE ARKANSAS WATERWORKS OPERATORS ACT; AND  
12 FOR OTHER PURPOSES."

## Subtitle

15 "TO STANDARDIZE PUBLIC HEALTH  
16 ENFORCEMENT BY ADDING CIVIL PENALTY  
17 AUTHORITY TO THE ARKANSAS WATERWORKS  
18 OPERATORS ACT."

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

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22 SECTION 1. Arkansas Code Annotated § 17-44-102 is amended to read as  
23 follows:

24 "17-44-102. Penalties.

25 (a) Any person or persons, representing a firm, corporation,  
26 municipality, or other political authority who violates any of the provisions  
27 of this chapter shall be guilty of a misdemeanor and, upon conviction thereof,  
28 shall be punished by a fine of not less than one hundred dollars (\$100) nor  
29 more than five hundred dollars (\$500) or by imprisonment in the county jail  
30 for not more than thirty (30) days, or by both such fine and imprisonment.  
31 Each day during which a violation continues shall be a separate offense.

32 (b) Every firm, person, or corporation who violates this act or any of  
33 the rules or regulations issued or promulgated by the State Board of Health,  
34 or who violates any condition of a license, permit, certificate, or any other  
35 type of registration issued by the board may be assessed a civil penalty by  
36 the board. The penalty shall not exceed one thousand dollars (\$1,000) for

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1 each violation. Each day of a continuing violation may be deemed a separate  
2 violation for purposes of penalty assessments.

3 (c) All fines collected under this section shall be deposited in the  
4 State Treasury and credited to the Waterworks Operators Licensing Fund to be  
5 used to defray the costs of administering this section.

6 (d) Subject to such rules and regulations as may be implemented by the  
7 Chief Fiscal Officer of the State, the disbursing officer of the Department of  
8 Health is authorized to transfer all unexpended funds relative to fines  
9 collected under this subsection, as certified by the Chief Fiscal Officer of  
10 the State, to be carried forward and made available for expenditures for the  
11 same purpose for any following fiscal year."

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

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17 SECTION 3. If any provision of this act or the application thereof to  
18 any person or circumstance is held invalid, such invalidity shall not affect  
19 other provisions or applications of the act which can be given effect without  
20 the invalid provision or application, and to this end the provisions of this  
21 act are declared to be severable.

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

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26 APPROVED: 3-24-95

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