

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.

**Act 927 of the Regular Session**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

*As Engrossed: H2/22/05*

**A Bill**

HOUSE BILL 1722

5 By: Representative Jackson  
6 By: Senator Laverty  
7  
8

**For An Act To Be Entitled**

10 AN ACT TO ALLOW SUBURBAN IMPROVEMENT DISTRICTS TO  
11 BECOME ELIGIBLE FOR MEMBERSHIP WITH LOCAL SOLID  
12 WASTE AUTHORITIES; AND FOR OTHER PURPOSES.  
13

**Subtitle**

14 AN ACT TO ALLOW SUBURBAN IMPROVEMENT  
15 DISTRICTS TO BECOME ELIGIBLE FOR  
16 MEMBERSHIP WITH LOCAL SOLID WASTE  
17 AUTHORITIES.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 14-92-219 is amended to read as follows:  
24 14-92-219. Purposes for which district organized.

25 A suburban improvement district may be organized for any one (1) or  
26 more of the following purposes:

27 (1) To purchase, accept as a gift, or construct a waterworks  
28 system or betterments, improvements, and extensions to such waterworks  
29 system, either within or without the boundaries of the district, if the  
30 property of the district will be benefited thereby, and to operate and  
31 maintain any such waterworks system it may purchase, construct, or own;

32 (2) To purchase, accept as a gift, or construct, either within  
33 or without the boundaries of the district, if the property of the district  
34 will be benefited thereby, a sewage collection system or a sewage treatment  
35 plant, or intercepting sewers, outfall sewers, force mains, pumping stations,



1 ejector stations, and all other appurtenances necessary or useful and  
2 convenient for the collection or treatment, purification, and disposal, in a  
3 sanitary manner, of the liquid and solid waste, sewage, night soil, and  
4 industrial waste of the area within the boundaries of the district, or  
5 adjacent thereto, and to operate and maintain any such sewage system and  
6 facilities;

7 (3) To open, grade, drain, pave, curb, gutter, or otherwise  
8 improve streets, roads, highways, and every other way for passage and use of  
9 vehicles, including viaducts and underpasses, either within or without the  
10 boundaries of the district, if the property of the district will be benefited  
11 thereby. Such purpose shall include the acquisition of rights-of-way by  
12 purchase or the exercise of the power of eminent domain, and to maintain such  
13 streets, roads, highways, and every other way for passage and use by  
14 vehicles, lying within the boundaries of the district or beyond the  
15 boundaries of the district, if the property of the district will be benefited  
16 thereby;

17 (4) To build, purchase, or accept as a gift recreational  
18 facilities such as, but not limited to, parks, lakes, golf courses,  
19 playgrounds, clubhouses, stadiums, auditoriums, arts and crafts centers,  
20 folklore centers, interpretative centers, camping areas, green belt areas,  
21 and any other facilities to provide for the recreation and cultural needs of  
22 the owners of the lands within the district and also to care for, maintain,  
23 and operate any such recreational facilities;

24 (5) To lay and maintain sidewalks;

25 (6) To lay, own, extend, operate and maintain gas pipelines  
26 connecting with gas systems; provided:

27 (A) Nothing in this subchapter shall be construed to allow  
28 the purchase of an existing natural gas system or any part thereof, and

29 (B) Any such gas system shall be subject to the  
30 jurisdiction of the Pipeline Safety Division of the Arkansas Public Service  
31 Commission and shall be subject to all provisions of the Arkansas Gas  
32 Pipeline Code;

33 (7) To build telephone lines to connect with the telephone  
34 systems operating in nearby or adjacent municipalities;

35 (8) To establish, equip, and maintain rural fire departments,  
36 including construction of fire department buildings, purchase of fire trucks,

1 fire boats, and other firefighting equipment;

2 (9) To own, acquire, construct, reconstruct, extend, equip,  
3 improve, maintain, and operate hospitals or to acquire appropriate vehicles  
4 and equipment for, maintain, and operate ambulance services; ~~and~~

5 (10) To own, acquire, construct, reconstruct, extend, equip,  
6 improve, maintain, and operate libraries-; and

7 (11)(A) To provide a solid waste management system to adequately  
8 provide for the collection and disposal of all solid wastes generated or  
9 existing within the boundaries of the district, and in accordance with the  
10 rules, regulations, and orders of the Arkansas Pollution Control and Ecology  
11 Commission.

12 (B)(i) The governing body of the district may enter into  
13 an agreement with one (1) or more municipalities, counties, county solid  
14 waste authorities, regional solid waste management districts, private  
15 persons, private trusts, or any combination thereof, to provide a solid waste  
16 management system or any part of a system for the district.

17 (ii)(a) The district may levy and collect fees and  
18 require licenses as determined appropriate to discharge the responsibilities  
19 of the district.

20 (b) Any fees, charges, and licenses shall be  
21 based upon a schedule set forth by the district.

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23 SECTION 2. Arkansas Code § 14-233-104 is amended to read as  
24 follows:

25 14-233-104. Creation of authority - General powers and restrictions.

26 (a)(1) Any two (2) or more municipalities or suburban improvement  
27 districts, any two (2) or more counties, or any one (1) or more  
28 municipalities or suburban improvement districts together with any one (1) or  
29 more counties are authorized to create and become members of a sanitation  
30 authority as prescribed in this chapter.

31 (2) Any first class city, second class city, or incorporated  
32 town may create a sanitation authority under this chapter, and such  
33 sanitation authority shall have the same powers as other sanitation  
34 authorities vested under this chapter.

35 (b)(1) Each authority may be empowered to own, acquire, construct,  
36 reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract

1 concerning, or otherwise deal in or dispose of a project.

2 (2) Unless limited by the members of the authority in the manner  
3 provided in this chapter, any project may be located at any place that in the  
4 judgment of the board of directors of the authority best serves the needs of  
5 the member ~~municipalities and counties~~ governments, whether within or without  
6 the boundaries of the ~~municipalities and counties~~ member governments.

7 (c) All projects accomplished by sanitation authorities pursuant to  
8 the provisions of this chapter shall be subject to all applicable federal and  
9 state requirements for the disposal, treatment, or other handling of solid  
10 waste.

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12 /s/ Jackson

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15 *APPROVED: 3/18/2005*  
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